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FILE NO. 101-97-41

ORDINANCE NO. 51-98

(Government Funding)

RO#97150
SA#29

1/21/98
jlb

APPROPRIATING $643,223 FROM SAN FRANCISCO GENERAL HOSPITAL PATIENT REVENUE TO ADD UNBUDGETED PATIENT REVENUE RELATED TO THE MERGER OF THE UCSF/MT. ZION WORKER'S COMP CLINIC WITH THE SAN FRANCISCO GENERAL WORKERS' COMP CLINIC FOR FISCAL YEAR 1997-98; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5H-AAA-AAA	HG-HGH	DIH	
SFGH-Operating Fund	San Francisco General Hospital	Acute Care - Hospital	
Funding Sources			
600-65905 (HGH1HFI00101)	Insurance Net Revenue	$643,223	
Funding Uses			
001-00101 (HGH3OCL40011)	Permanent Salaries - Misc. (Salary Savings)		$113,402
001-00400 (HGH30CL40011)	Permanent Salaries - Nurses (Salary Savings)		$142,837
013-01901 (HGH30CL40011)	Fringe Benefits		$51,248
021-02700 (HGH30CL40011)	Professional Services		$295,248
021-03500 (HGH30CL40011)	Other Current Expenses		$20,700
040-04000 (HGH30CL40011)	Materials and Supplies		$19,788
	Total	$643,223	$643,223

1/21/98
jlb

Section 2. Although the City has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

///

///

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APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: John W. Madden

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
January 26, 1998	$	February 2, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee	$	Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee
	$	
Absent: Supervisor Katz	$	Absent: Supervisors Bierman Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-97-41

FEB - 6 1998
Date Approved

Mayor

BOARD OF SUPERVISORS

FILE NO. 101-97-42
(Government Funding)

ORDINANCE NO. 52-98
RO#97160
SA#20

APPROPRIATING $66,663 FROM SAN FRANCISCO GENERAL HOSPITAL PATIENT REVENUES TO ADD UNBUDGETED PATIENT REVENUE FOR SERVICES REFERRED BY THE SAN FRANCISCO FAMILY PLANNING PROGRAM AND BREAST AND CERVICAL CANCER PREVENTION PROGRAM AND TO SUPPORT THE SAN FRANCISCO GENERAL HOSPITAL PATHOLOGY LABORATORY FOR FISCAL YEAR 1997-98; PROVIDING FOR REPORT IN SIX MONTHS.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5H-AAA-AAA	HG-HGH	DIH	
SFGH-Operating Fd.	San Francisco General Hospital	Acute Care - Hospital	
Funding Sources			
600-65902 (HGH1HFI00101)	Medi-Cal Net Revenue	$66,663	
Funding Uses			
001-00101 (HGH1HUN40061)	Permanent Salaries - Misc.		$12,696
013-01901 (HGH1HUN40061)	Fringe Benefits		$2,539
021-02700 (HGH1HUN40061)	Professional Services		$51,428
	Total	$66,663	$66,663

Section 2. The Board of Supervisors hereby requests the Department of Public Health to report in six (6) months on the actual cost of Cytology Examination and Pathology Reviews.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: John Wheadon

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading
January 26, 1998

Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee

Absent: Supervisor Katz

Finally Passed
February 2, 1998

Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee

Absent: Supervisors Bierman Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
101-97-42

FEB - 6 1998
Date Approved

Mayor

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FILE NO. 123-97-009 ORDINANCE NO. 53-98

[Update of Public Works Code]

AMENDING ARTICLE XX, SECTION 1000 OF THE SAN FRANCISCO PUBLIC WORKS CODE, WHICH DEFINES CERTAIN TERMS USED IN THE ARTICLE, BY REMOVING OBSOLETE REFERENCE TO FIRE CODE IN THE DEFINITION GIVEN FOR "HAZARDOUS WASTE."

Note: Additions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article XX of the San Francisco Public Works Code is hereby amended by amending Section 1000, to read as follows:

Section 1000. DEFINTIONS.For the purposes of this Article the following definitions shall apply:

"Certified laboratory" shall mean a laboratory certified by the California Department of Health Services, pursuant to the provisions of Section 25198 of the California Health and Safety Code, for analyzing samples for the presence of hazardous waste.

"Director" shall mean the Director of the Department of Public Works of the City and County of San Francisco.

"Director of Public Health" shall mean the Director of the Department of Public Health of the City and County of San Francisco.

"Hazardous waste" shall mean any substance that meets the definition of hazardous waste in Section 25117 of the California Health and Safety Code and Section 66680 of Title 22, California Administrative Code ((and any hazardous waste as defined in the San

Francisco Hazardous Materials Disclosure Ordinance (Article 29, San Francisco Fire Code))).

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Mario Michel Kashou
Mario Michel Kashou
Special Assistant

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Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
January 26, 1998	§	February 2, 1998
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee
	§	
Absent: Supervisor Katz	§	Absent: Supervisors Bierman Katz

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
123-97-9

FEB - 6 1998
Date Approved

Mayor

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100 Larkin Street
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FILE NO. 97-97-52 ORDINANCE NO. 54-98

[Donation of Surplus Goods]

AMENDING SAN FRANCISCO ADMINISTRATIVE CODE SECTION 6.01 TO AUTHORIZE THE DIRECTOR OF PURCHASING TO DISPOSE OF SURPLUS GOODS BY DONATION FOR REUSE OR RECYCLING.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 6 of the San Francisco Administrative Code is hereby amended by amending Section 6.01, to read as follows:

SEC. 6.01. PURCHASING; MATERIAL, SUPPLIES, EQUIPMENT AND SERVICES.

(a) The purchaser of supplies shall purchase all materials, supplies and equipment of every kind and nature and enter into agreements for all contractual services required by the several departments and offices of the City ((and County)), except as in this Section otherwise provided. Purchases of books, magazines and periodicals for the library departments, works of art for museums and other articles or things of unusual character as to the purchasing thereof, may, on the recommendation of a department head and the approval of the purchaser, be purchased directly by said department head.

(b) Purchases of materials, supplies and equipment involving the expenditure of less than $5,000 may, on the recommendation of the department head in charge thereof and the approval of the purchaser, be purchased directly by the department head. Beginning with fiscal

year 1996-97, the Board of Supervisors shall be authorized to increase or decrease by ordinance the dollar amount of purchases of materials, supplies and equipment which may, on the recommendation of the department head and approval of the purchaser, be purchased directly by the department head.

(c) Purchases for construction operations, or for any operations conducted outside the boundaries of the City and County may, on the recommendation of the department head in charge thereof, and the approval of the purchaser of supplies, be made by the department head. All such purchases made by officials other than the purchaser shall be made in accordance with regulations established by the purchaser of supplies.

(d) Materials, supplies and equipment which have been determined to be surplus to City needs shall be disposed of in a manner which will best serve the interests of the City. For the purposes of this section, the interests of the City shall include the City's ability to maximize the City's economic return on surplus goods, the City's interest in maximizing the re-use of surplus goods by public entities, non-profit organizations and schools, and the City's interest in avoiding any unnecessary additions to the waste stream by maximizing the re-use and recycling of surplus goods. Disposal of surplus goods may include sales to, exchanges with, or donation to public entities, non-profit organizations, and private organizations for a public purpose, or donation to private entities for recycling of parts or materials. The Purchaser shall maintain lists of all

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known local resources for transfer of surplus goods to public entities, non-profit organizations, and private organizations for a public purpose, and for the recycling of parts.

(1) The purchaser of supplies shall have the authority to exchange used materials, supplies, and equipment to the advantage of the City ((and County)), to advertise for bids, and to sell personal property belonging to the City ((and County)) on the recommendation of a department head that such articles are ((unfit for use)) surplus to the needs of the department.

(2) The purchaser of supplies shall have authority to donate obsolete, used or surplus materials, supplies and equipment if a department head states in writing that such articles surplus to the needs of the department. The purchaser shall document in writing each donation.

(A) Donations of articles meeting the criteria listed above may be offered to public entities, non-profit organizations, or private organizations serving the public. The order of priority for donations shall be to entities or organizations:

(i) engaged in distributing the surplus goods offered at no cost or for a nominal fee to non-profit organizations, schools, or low-income individuals or families that are physically located in San Francisco;

(ii) engaged in distributing the surplus goods offered at no cost or for a nominal fee to non-profit organizations, schools, or

low-income individuals or families that are physically located in the Bay Area;

(iii) engaged in distributing the surplus goods offered at no cost or for a nominal fee to non-profit organizations, schools, or low-income individuals or families that are physically located in the United States;

(iv) engaged in distributing the surplus goods offered at no cost or for a nominal fee to non-profit organizations, schools, or low-income individuals or families that are physically located in foreign countries;

(v) engaged in recycling the surplus goods, including parts or materials.

(B) Surplus medical supplies that are no longer in compliance with Federal Drug Administration regulations may be offered to entities and organizations which are engaged in distributing or administering the surplus medical supplies at no cost or for a nominal fee to low-income individuals or families in foreign countries.

(C) To the extent that more than one organization meets the criteria in a category listed above, surplus goods shall be made available on a rotational basis to entities and organizations in the same category. If there is a need to dispose of surplus property and no entity or organization meeting the criteria noted in subparagraph (d)(2)(A) can be located to receive a donation, the Purchaser is authorized to utilize other means that may be available to dispose of

such property in a manner that will best serve the interests of the City.

(e) All purchases in excess of $2,500 shall be by written contract. Beginning with fiscal year 1996-97, the Board of Supervisors shall be authorized to increase or decrease by ordinance the dollar amount of purchases which shall be made by written contract. Any other provision of this Section notwithstanding, on the recommendation of the department head, in case of an emergency actually existing, the purchaser of supplies, with the approval of the Director of Administrative Services, may make such purchases in the open market on the basis of informal bids. At least three bids or quotations shall be secured on open market purchases. All contracts and purchase orders in excess of $50,000 for materials, supplies or equipment and all agreements for contractual services in excess of $50,000 shall require the signature of the Director of Administrative Services in addition to the signature of the purchaser of supplies. Beginning with fiscal year 1987-88, the Board of Supervisors shall be authorized to increase or decrease by ordinance the dollar amount of contracts requiring approval of the Director of Administrative Services under this Section. The purchaser of supplies shall not enter into any contract or issue any purchase order unless the Controller shall certify thereon that sufficient unencumbered balances are available in the proper fund to meet the payments under such purchase order or contract as these become due.

(f) The purchaser of supplies shall establish specifications and tests to cover all recurring purchases of material, supplies and equipment. The purchaser shall, as far as is practicable, standardize materials, supplies and equipment according to the use to which they are to be put, when two or more types, brands or kinds are specified or requested by individual departments.

(g) Purchases of equipment shall be made in accordance with specifications furnished by the department requiring such equipment in case the use of such equipment is peculiar to such department. For patented or proprietary articles sold by brand name, the purchaser may require each department requisitioning same by such brand name, to furnish specifications of the article requisitioned and may advertise for bids on the basis of such specifications, under conditions permitting manufacturers of or dealers in other articles made and sold for the same purpose, to bid on such specifications or on the specifications of their own product. If the purchaser of supplies recommends the acceptance of the lowest or best bid, stating his or her reasons in writing therefor, and if the department head concerned recommends the acceptance of any other bid on such proprietary articles, stating his or her reasons in writing therefor, the award shall be determined by the Controller.

(h) The purchaser of supplies shall require departments to make adequate inspection of all purchases, and shall make such other inspections as he or she deems necessary. The purchaser shall develop standards for determining when articles or services which may

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be below standards, specifications or samples furnished should be rejected.

(i) The purchaser of supplies shall have charge of central storerooms and warehouses of the City ((and County)). The purchaser shall also have charge of a central garage and shop for the repair of City ((and County)) equipment. All garages and shops heretofore maintained by departments for the construction, maintenance, and repair of departmental supplies and equipment, and the personnel assigned thereto, excepting the shop and personnel for fire alarm, police telegraph and traffic signal manufacture and repair operated by the department of electricity, are hereby transferred to said central garage and shop. The purchaser shall have authority to require the transfer of surplus property in any department to stores or to other departments.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
CHRISTIANE HAYASHI
Deputy City Attorney

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
February 2, 1998	§	February 9, 1998
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
Absent: Supervisors Bierman Katz	§	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-97-52

FEB 20 1998
Date Approved

_____
Mayor

Amendment of the Whole BOS 2/2/98

FILE NO. 97-97-67 ORDINANCE NO. 55-98

[Capital Improvement Advisory Committee]

AMENDING SECTION 3.20 OF CHAPTER 3 OF THE ADMINISTRATIVE CODE TO ADD THE CITY ADMINISTRATOR AS A MEMBER OF THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE (CIAC), AND TO PROVIDE THAT THE CHAIR OF THE CIAC APPOINT TWO INDIVIDUALS AS MEMBERS OF THE COMMITTEE.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 3 of the San Francisco Administrative Code is hereby amended by amending Section 3.20 to read as follows:

Sec. 3.20. CAPITAL IMPROVEMENT ADVISORY COMMITTEE. Formation. There is hereby created a Capital Improvements Advisory Committee (CIAC) consisting of the Mayor's Finance Director as Chair, President of the Board of Supervisors, City Administrator, Controller, Director of Public Works, Director of the Planning Department or their designees and two ((department heads)) individuals chosen by the Chair of the CIAC to serve two-year terms. The CIAC shall review and advise the Mayor's Finance Office on all capital improvement projects and long-term financing proposals. The CIAC shall have the duty and the power to establish rules and regulations for the conduct of its affairs and for the procedures to be followed by the several boards, agencies, commissions and departments submitting information to the CIAC. The CIAC shall have such powers as may be necessary to enable it to fulfill its functions.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Michelle W. Sexton
MICHELLE W. SEXTON
Deputy City Attorney

ORDINANCE DEPT
MAR 05 1998

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
February 2, 1998	$	February 9, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
	$	
Absent: Supervisors Bierman Katz	$	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
97-97-67

FEB 20 1998
Date Approved

Mayor

As amended in Committee
1/7/98

FILE NO. 101-97-45

ORDINANCE NO. 56-98

(Government Funding)

RO#97163
SA#28

cl NETWORK
/26/98

APPROPRIATING $1,033,415, INCLUDING AN ADDITIONAL $262,415 FROM MEDICAL AND MEDI-CARE REVENUES AND TRANSFERRING $771,000 OF VISITING NURSE HOSPICE GROUP CONTRACTS TO FUND THE NEWLY CREATED COMMUNITY HEALTH ~~NETWORTH~~ HOME HEALTH AGENCY AND FOR THE CREATION OF 28.2 NEW POSITIONS AT THE DEPARTMENT OF PUBLIC HEALTH - COMMUNITY HEALTH SERVICE FOR FOR FISCAL YEAR 1997-98, PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	HC-HCH Public Health-Community Health Service	DHP Primary Care-Ambulatory Care Health Center	
Funding Sources			
600-65901 (HCHAPHOMEHGF)	MediCare Net Revenue	$75,277	
600-65902 (HCHAPHOMEHGF)	Medi-Cal Net Revenue	$187,138	
021-02700 (HCHAPHOMEHGF)	Professional Services	$771,000	
Funding Uses			
001-00100 (HCHAPHOMEHGF)	Permanent Salaries - Misc.		$359,374
001-00400 (HCHAPHOMEHGF)	Permanent Salaries - Nurses		$489,062
013-01900 (HCHAPHOMEHGF)	Fringe Benefits		$165,687
021-02200 (HCHAPHOMEHGF)	Training		$14,500
021-03500 (HCHAPHOMEHGF)	Other Current Expenses		$2,600
040-04000 (HCHAPHOMEHGF)	Materials and Supplies		$14,812
060-06000 (HCHAPHOMEHGF)	Equipment		$7,380
	Total	$1,033,415	$1,033,415

Section 2. Funds are appropriated for the creation of 28.2 positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 102-97-16) as follows:

Class No.	Classification Title	Rate	Number of Positions Created
Program: DHP - Primary Care-Ambulatory Care - Health Center			
Index Code: HCHAPHOMEHGF; Sub-Object - 00101;			
2232 N	Sr. Physician Specialist	3446B4188	0.40
2548 N	Occupational Therapist	1895B2303	1.00
2556 N	Physical Therapist	1895B2303	2.00
2583 N	Home Health Aide	916B1109	5.00
2589 N	Health Program Coordinator I	1562B1895	1.00
2920 N	Medical Social Worker	1858B2258	2.00
2922 N	Sr. Medical Social Worker	1941B2360	1.00
2585 N	Health Worker I	1091B1320	1.00

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MAR 05 1998

Class No.	Classification Title	Rate	Number of Positions Created
1844 N	Sr. Management Assistant	1787B2172	1.00
1374 N	Special Asst. XV	2660B3234	1.00
	Total Positions Created on Sub-Object 00100		15.40
Sub-Object 00400			
2320 N	Registered Nurse	2041B2386	8.80
P103 N	Special Nurse	$31.89H$35.15	3.00
2322 N	Head Nurse	2449B3158	1.00
	Total Positions created on Sub-Object 00400		12.80
	Grand Total of Positions Created		28.20

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

DEPARTMENT OF HUMAN RESOURCES

BY: _____
ANDREA R. GOURDINE, DIRECTOR

Section 3. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

1/7/98
rlh

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 2, 1998	February 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Medina Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Medina Yaki Yee
Noes: Supervisors Kaufman Newsom Teng	Noes: Supervisor Kaufman
	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-97-45

FEB 20 1998
Date Approved

_____
Mayor

FILE NO. 102-97-16 ORDINANCE NO. 57-98

PUBLIC EMPLOYMENT SAL. ORD. AMEND. NO. 14

AMENDING ORDINANCE NO. 307-97 (ANNUAL SALARY ORDINANCE, 1997/98) REFLECTING THE CREATION OF 28.2 NEW POSITIONS IN THE DEPARTMENT OF PUBLIC HEALTH, COMMUNITY HEALTH SERVICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 307-97, (Annual Salary Ordinance, 1997/98) are hereby amended so that the same shall read as follows:

Department: HCN Community Health Network
Program: DHP Primary Care-Ambulatory Care-Health Centers
Sub-Fund: 1G AGF AAA GF-Non-Project-Controlled

Amendment	No. Pos.	Class and Item No.		Compensation Schedule
.40 Added	.40	2232 N Sr. Physician Specialist	SC	$3446B4188
1.00 Added	1.00	2548 N Occupational Therapist	SC	$1895B2303
2.00 Added	2.00	2556 N Physical Therapist	SC	$1895B2303
5.00 Added	5.00	2583 N Home Health Aide	SC	$916B1109
1.00 Added	1.00	2589 N Health Program Coordinator I	SC	$1562B1895
2.00 Added	2.00	2920 N Medical Social Worker	SC	$1858B2258
1.00 Added	1.00	2922 N Sr. Medical Social Worker	SC	$1941B2360
1.00 Added	1.00	2585 N Health Worker I	SC	$1091B1320
1.00 Added	1.00	1844 N Sr. Management Assistant	SC	$1787B2172
1.00 Added	1.00	1374 N Special Assistant XV	SC	$2660B3234
8.80 Added	8.80	2320 N Registered Nurse	SC	$2041B2386
3.00 Added	3.00	P103 N Special Nurse	SC	$31.89H35.15
1.00 Added	1.00	2322 N Head Nurse	SC	$2449B3158

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

Linda Mazzini
for HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

NO. 14

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
February 2, 1998	§	February 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Medina Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Medina Yaki Yee
Noes: Supervisors Kaufman Newsom Teng	§	Noes: Supervisor Kaufman
	§	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 102-97-16

FEB 20 1998
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 05 1998

FILE NO. 98-0017 ORDINANCE NO. 58-98

[Settlement of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF M.L.D.K., INC. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO BY RECOGNIZING A REDUCTION OF BUSINESS TAXES DUE BY $127,770.22.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled M.L.D.K., Inc. v. City and County of San Francisco (San Francisco Superior Court No. 984697), by recognizing a reduction of business taxes due by $127,770.22, to reflect the reclassification of plaintiff.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

THOMAS J. OWEN
Deputy City Attorney

RECOMMENDED:

TAX COLLECTOR'S OFFICE

RICHARD SULLIVAN
Tax Collector

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

TAX COLLECTOR
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 2, 1998	February 9, 1998
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
Absent: Supervisors Bierman Katz	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0017

FEB 20 1998
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 05 1998

FILE NO. 98-0051
(Government Funding)

ORDINANCE NO. 59-98
RO#97188
SA#66

APPROPRIATING ~~$3,500,000~~ $3,468,646 CLEAN WATER PROGRAM FUND BALANCE FOR THE CONSTRUCTION OF NEW SOUTHEAST PLANT AERATION BASINS INFLUENT CHANNEL AND DESIGN OF A BOOSTER PUMP STATION UPGRADE FOR THE DEPARTMENT OF PUBLIC UTILITIES-CLEANWATER FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5C-CPF-88B	CWPAA	XXX	
Clean Water Program Funds	Clean Water - General	Non-Program	
Funding Source			
Project			
CENBRV-9700	CWP Sewer Revenue Bonds		
999-99999 (*CWP5CCPF88B)	Fund Balance	$3,468,646 ~~$3,500,000~~	
Funding Uses:			
Project			
CENCMP-RK50	Southeast Plant Booster Pump Station Upgrade Design		
060-06700 (xxxxxxxxxxx)	Bldg., Structures & Improvement Project-Budget		$700,000
Project			
CENCMP-RK51	Southeast Plant Aeration Basins: New Influent Channel		
060-06700 (xxxxxxxxxxxx)	Bldg., Structures & Improvement Project-Budget		$2,768,646 ~~$2,800,000~~
	Total	$3,468,646 ~~$3,500,000~~	$3,468,646 ~~$3,500,000~~

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY [signature]

n:\excel\approp\40aa866

DOCUMENTS DEPT
MAR 05 1998

cc

Board of Supervisors, San Francisco

Passed for Second Reading	$	Finally Passed
	$	
February 2, 1998	$	February 9, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
	$	
Absent: Supervisors Bierman Katz	$	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0051

FEB 20 1998
Date Approved

Mayor

FILE NO. 98-0052

(Government Funding)

ORDINANCE NO. 60-98

RO#97170
SA#32

APPROPRIATING $2,000,000 OF SAN FRANCISCO HARBOR OPERATING FUND BALANCE TO FUND THE COSTS OF REPAIR TO THE MARGINAL WHARVES FROM PIER 1-1/2 TO PIER 5 TO ACCOMMODATE THE NEW PROMENADE FOR THE MID EMBARCADERO ROADWAY PROJECT FOR PORT COMMISSION, FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
5P-AAA-AAA Port Operating Fd.- Non-Project	PRT-99 Port Commission	BKY Port Facilities Operation	
Funding Sources			
999-99999 (390000)	Fund Balance	$2,000,000	
Funding Uses			
095-0955P (POAAAAAA955P)	Intrafund transfer out to 5P-AAA-ACP, Port Commission		$2,000,000
	Total	$2,000,000	$2,000,000
Fund	**Department**	**Program**	
5P-AAA-ACP Port-Continuing Project Operating Fund	PRTAAA Port Commission-General	BKY Port-Facilities & Operation	
Funding Sources			
950-9505P (POAAAACP505P)	Intrafund transfer in from 5P-AAA-AAA, Port Commission	$2,000,000	

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Funding Uses			
Project			
CPO650	Marginal Wharf		
067-06700 (392601)	Bldgs., Structures & Imprv't. Project		$2,000,000
	Total	$2,000,000	$2,000,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

n\excel\appro\39aa#32

DOCUMENTS DEPT
MAR 05 1998

cc

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
	§	
February 2, 1998	§	February 9, 1998
	§	
	§	
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
	§	
Absent: Supervisors Bierman Katz	§	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0052

FEB 20 1998
Date Approved

Mayor

FILE NO. 98-0053 ORDINANCE NO. 61-98

RO#97182

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF UNITED STATES, ET AL., AGAINST THE CITY AND COUNTY OF SAN FRANCISCO IN THE AMOUNT OF ONE HUNDRED, FORTY-ONE THOUSAND EIGHT HUNDRED EIGHTY-SIX DOLLARS ($141,886.00).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "United States of America, et al., v. City and County of San Francisco, et al., Federal District Court, No. C-84-7089 by the payment of $141,886.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO FIRE DEPARTMENT

ROBERT L. DEMMONS
CHIEF OF DEPARTMENT

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

APPROVED:

RAYMOND G. CONNORS, SECRETARY
FIRE COMMISSION

1G-AGF-AAP 31-00-00
310059 05311 $141,886.00
Project: PFC117

FIRE DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
February 2, 1998	§	February 9, 1998
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
Absent: Supervisors Bierman Katz	§	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0053

FEB 20 1998
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 05 1998

FILE NO. 98-0054

ORDINANCE NO. 62-98

RO#97183

AUTHORIZING SETTLEMENT OF LITIGATION OF LEROY AND KATHERINE LOOPER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Leroy and Katherine Looper v. City and County of San Francisco," San Francisco Superior Court No. 975-683, by taking the following action:

(1) to pay plaintiffs Leroy and Katherine Looper $150,000.00;

(2) to waive the right of the City and County of San Francisco to demand that any settlement monies received by plaintiffs go towards the immediate repayment of plaintiffs' outstanding loan from the Mayor's Office of Housing; and

(3) to turn over the fixtures and furnishings currently in the Chateau Agape, 827 Guerrero Street, San Francisco, California or that were originally in the property and bought by the City from plaintiffs.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

1G-AGF-AAA 97-09-83
975027 05311 $150,000/00

RECOMMENDED:

DEPARTMENT OF PUBLIC HEALTH

DR. MITCHELL KATZ
Interim Director of Health

APPROVED:
HEALTH COMMISSION

Secretary

DOCUMENTS DEPT.
MAR 16 1998

Board of Supervisors, San Francisco

Passed for Second Reading	Finally Passed
February 2, 1998	February 9, 1998
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
Absent: Supervisors Bierman Katz	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0054

FEB 20 1998
Date Approved

Mayor

FILE NO. 98-0082 ORDINANCE NO. 63-98

RO#97186

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF CLIFFORD WASHINGTON, ET AL. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $320,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "CLIFFORD WASHINGTON, ET AL. V. JIM D. MENDOZA, ET AL., Superior Court No. 969-668," by the payment of $320,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PARKING AND TRAFFIC

BILL MAHER, Executive Director

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

IG-AGF-AAA 97-09-36
975032 05311 $320,000.00

APPROVED:

PARKING AND TRAFFIC COMMISSION

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed for Second Reading	§	Finally Passed
February 2, 1998	§	February 9, 1998
Ayes: Supervisors Ammiano Brown Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee
Absent: Supervisors Bierman Katz	§	Absent: Supervisors Newsom Teng

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0082

FEB 20 1998
Date Approved

Mayor

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MAR 05 1998

Govt Information Ctr
41 Main Library-Civic Center
100 Larkin Street
Mailslot

FILE NO. 98-0108 ORDINANCE NO. 64-98

[Bond Special Election]

CALLING AND PROVIDING FOR A SPECIAL ELECTION TO BE HELD IN THE CITY AND COUNTY OF SAN FRANCISCO ON TUESDAY, JUNE 2, 1998, FOR THE PURPOSE OF SUBMITTING TO THE VOTERS OF THE CITY AND COUNTY OF SAN FRANCISCO A PROPOSITION TO INCUR BONDED INDEBTEDNESS OF THE CITY AND COUNTY IN THE PRINCIPAL AMOUNT OF $89,900,000 FOR THE ACQUISITION, CONSTRUCTION AND/OR RECONSTRUCTION OF A NEW MUSEUM FACILITY IN GOLDEN GATE PARK TO REPLACE THE M.H. DE YOUNG MEMORIAL MUSEUM, INCLUDING FUNDING FOR IMPROVEMENTS TO GOLDEN GATE PARK IN THE AREAS APPURTENANT TO, OR WHICH PROVIDE ACCESS TO, THE DE YOUNG MUSEUM; FINDING THAT THE ESTIMATED COST OF SUCH PROPOSED PROJECT IS AND WILL BE TOO GREAT TO BE PAID OUT OF THE ORDINARY ANNUAL INCOME AND REVENUE OF THE CITY AND COUNTY AND WILL REQUIRE EXPENDITURES GREATER THAN THE AMOUNT ALLOWED THEREFOR BY THE ANNUAL TAX LEVY; RECITING THE ESTIMATED COST OF SUCH PROPOSED PROJECT; WAIVING THE TIME LIMIT REQUIREMENTS OF SECTION 2.34 OF THE SAN FRANCISCO ADMINISTRATIVE CODE RELATING TO TIME OF ADOPTION OF THIS RESOLUTION BEFORE THE ELECTION; WAIVING CERTAIN REQUIREMENTS OF SECTIONS 2A.52 AND 2A.53 OF THE SAN FRANCISCO ADMINISTRATIVE CODE RELATING TO THE REQUIREMENT FOR GENERAL PLAN REFERRAL REPORTS; WAIVING THE REQUIREMENTS OF SECTIONS 2.30-1, 3.20, 3.21 AND 3.22 OF THE SAN FRANCISCO ADMINISTRATIVE CODE RELATING TO THE SUBMISSION OF PROPOSED CAPITAL IMPROVEMENT PROJECTS TO THE CAPITAL IMPROVEMENT ADVISORY COMMITTEE; WAIVING THE REQUIREMENTS OF SECTION 305 OF THE MUNICIPAL ELECTIONS CODE RELATING TO RULES FOR SUBMISSION OF ORDINANCES AND CHARTER AMENDMENTS BY THE BOARD OF SUPERVISORS; FIXING

THE DATE OF ELECTION AND THE MANNER OF HOLDING SUCH ELECTION AND THE PROCEDURE FOR VOTING FOR OR AGAINST THE PROPOSITION; FIXING THE MAXIMUM RATE OF INTEREST ON SUCH BONDS AND PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY BOTH PRINCIPAL AND INTEREST THEREOF; PRESCRIBING NOTICE TO BE GIVEN OF SUCH ELECTION; CONSOLIDATING THE SPECIAL ELECTION WITH THE CONSOLIDATED MUNICIPAL PRIMARY ELECTION ALREADY SCHEDULED FOR JUNE 2, 1998; PROVIDING THAT THE ELECTION PRECINCTS, VOTING PLACES AND OFFICERS FOR ELECTION SHALL BE THE SAME AS FOR THE CONSOLIDATED MUNICIPAL PRIMARY ELECTION SCHEDULED FOR JUNE 2, 1998; AND WAIVING THE WORD LIMITATION ON BALLOT PROPOSITIONS IMPOSED BY SAN FRANCISCO MUNICIPAL ELECTIONS CODE SECTION 510.

Be it ordained by the People of the City and County of San Francisco:

Section 1. A special election is hereby called and ordered to be held in the City and County of San Francisco on Tuesday, the 2nd day of June, 1998, for the purpose of submitting to the electors of the City and County a proposition to incur bonded indebtedness of the City and County of San Francisco for the project hereinafter described in the amount and for the purposes stated:

"M.H. DE YOUNG MEMORIAL MUSEUM REPLACEMENT BONDS, 1998, $89,900,000 for the acquisition, construction and/or reconstruction of a new museum facility in Golden Gate Park to replace the M.H. de Young Memorial Museum and all other works, property and structures necessary or convenient for the foregoing purposes, including funding

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for improvements to Golden Gate Park in the areas appurtenant to, or which provide access to, the de Young Museum."

The special election hereby called and ordered shall be referred to herein as the "Bond Special Election."

Section 2. The estimated costs of the project described in Section 1 hereof were fixed by the Board of Supervisors by the following resolution and in the amount specified below:

General Obligation Bonds, Resolution No. 82-98, $89,900,000.

Such resolution was passed by two-thirds or more of the Board of Supervisors and approved by the Mayor. In such resolution it was recited and found that the sum of money specified is too great to be paid out of the ordinary annual income and revenue of the City and County in addition to the other annual expenses thereof or other funds derived from taxes levied for those purposes and will require expenditures greater than the amount allowed therefor by the annual tax levy.

The method and manner of payment of the estimated costs described herein are by the issuance of bonds of the City and County of San Francisco not exceeding the principal amount specified.

Such estimate of cost as set forth in such resolution is hereby adopted and determined to be the estimated cost of such improvements and financing, respectively.

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///

Section 3. The Board of Supervisors hereby waives the time limits for adoption of Resolution No. 82-98 set forth in Section 2.34 of Chapter 2 of the San Francisco Administrative Code.

Section 4. The Board of Supervisors hereby waives all of the requirements set forth in Sections 2.30-1, 3.20, 3.21 and 3.22 of the San Francisco Administrative Code relating to submission of the proposed project described in this resolution to the Capital Improvement Advisory Committee for review.

Section 5. The Board of Supervisors hereby waives any and all of the requirements set forth in Sections 2A.52 and 2A.53 of the San Francisco Administrative Code relating to the requirement for General Plan Referral Reports on the consistency with the City's General Plan and that are or may become applicable to actions of the Board necessary for the submission of the proposition described herein to the voters of the City and County; provided, however, it is not the intent of the Board of Supervisors to waive any requirements for any such reports or any required findings that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the City's General Plan with respect to any actions taken by the Board of Supervisors following such election to approve issuance of the bonds or approve the project.

Section 6. The Board of Supervisors hereby waives, and exempts the submission of the proposition described in this ordinance from, any and all of the requirements set forth in Section 305 of the Municipal Elections Code relating to rules for the submission of

ordinances and Charter amendments by the Board of Supervisors to the voters.

Section 7. The Bond Special Election shall be held and conducted and the votes thereat received and canvassed, and the returns thereof made and the results thereof ascertained, determined and declared as herein provided and in all particulars not herein recited such election shall be held according to the laws of the State of California and the Charter of the City and County of San Francisco providing for and governing elections in the City and County of San Francisco, and the polls for such election shall be and remain open during the time required by such laws.

Section 8. The Bond Special Election is hereby consolidated with the Consolidated Municipal Primary Election scheduled to be held in the City and County of San Francisco on Tuesday, June 2, 1998. The voting precincts, polling places and officers of election for the June 2, 1998 Consolidated Municipal Primary Election are hereby adopted, established, designated and named, respectively, as the voting precincts, polling places and officers of election for the Bond Special Election hereby called, and reference is hereby made to the notice of election setting forth the voting precincts, polling places and officers of election for the June 2, 1998 Consolidated Municipal Primary Election by the Director of Elections to be published in the official newspaper of the City and County on the date required under the laws of the State of California.

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Section 9. The ballots to be used at the Bond Special Election shall be the ballots to be used at the June 2, 1998 Consolidated Municipal Primary Election. The word limit for the ballot proposition imposed by San Francisco Municipal Elections Code Section 510 is hereby waived. On the ballots to be used at the Bond Special Election, in addition to any other matter required by law to be printed thereon, shall appear the following:

"M.H. DE YOUNG MEMORIAL MUSEUM REPLACEMENT BONDS, 1998. Shall the City and County incur $89,900,000 of bonded indebtedness for the acquisition, construction and/or reconstruction of a new M.H. de Young Memorial Museum in Golden Gate Park and all other works, property and structures necessary or convenient for the foregoing purposes, including funding for improvements to Golden Gate Park in the areas appurtenant to, or which provide access to, the de Young Museum?"

Each voter to vote in favor of the issuance of the foregoing bond proposition shall mark the ballot after the word "YES" to the right of the proposition, and to vote against the proposition shall punch the ballot card in the hole after the word "NO" to the right of the proposition. If and to the extent that a numerical system is used at such special election, each voter to vote in favor of the proposition shall mark the ballot card after the number corresponding to a "YES" vote for the proposition and to vote against the proposition shall mark the ballot card after the number corresponding to a "NO" vote for the proposition.

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Section 10. If at the Bond Special Election it shall appear that two-thirds of all the voters voting on such proposition voted in favor of and authorized the incurring of bonded indebtedness for the purposes set forth in such proposition, then such proposition shall have been accepted by the electors, and bonds authorized thereby shall be issued upon the order of the Board of Supervisors. Such bonds shall bear interest at a rate not to exceed twelve percent (12%) per annum.

The votes cast for and against the proposition shall be counted separately and when two-thirds of the qualified electors, voting on the proposition, vote in favor thereof, the proposition shall be deemed adopted.

Section 11. For the purpose of paying the principal and interest on the bonds, the Board of Supervisors shall, at the time of fixing the general tax levy and in the manner for such general tax levy provided, levy and collect annually each year until such bonds are paid, or until there is a sum in the Treasury of said City and County set apart for that purpose to meet all sums coming due for the principal and interest on the bonds, a tax sufficient to pay the annual interest on such bonds as the same becomes due and also such part of the principal thereof as shall become due before the proceeds of a tax levied at the time for making the next general tax levy can be made available for the payment of such principal.

Section 12. This ordinance shall be published once a day for at least seven (7) days in the official newspaper of the City and County

and such publication shall constitute notice of the election and no other notice of the election hereby called need be given.

Section 13. The appropriate officers, employees, representatives and agents of the City and County of San Francisco are hereby authorized and directed to do everything necessary or desirable to accomplish the calling and holding of the Bond Special Election, and to otherwise carry out the provisions of this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
JESSE CAPIN SMITH
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 17, 1998	$	February 23, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	$	Brown Katz Kaufman Medina Newsom
Teng Yaki Yee	$	Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0108

FEB 26 1998
Date Approved

Mayor

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FILE NO. 97-97-75 ORDINANCE NO. 65-98

[Regional Transit Discount ID Card Fee]

AMENDING CHAPTER 8 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 8.39 THERETO, IMPOSING FEES TO PROCESS APPLICATIONS FOR NEW, RENEWED, AND LOST REGIONAL TRANSIT DISCOUNT IDENTIFICATION CARDS

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 8 of the San Francisco Administrative Code is hereby amended by adding Section 8.39, to read as follows:

Sec. 8.39. Regional Transit Discount Identification Card Fees. The Public Transportation Department is hereby authorized to charge fees to defray the actual cost of processing and issuing Regional Transit Discount Identification Cards. Any persons requesting such cards shall pay the following fees:

New Cards $3.00

Renewed Cards $3.00

Lost Cards $5.00

All fees received for such cards shall be deposited with the Treasurer and shall be used to defray the costs incurred by the Public Transportation Department or its contractors in processing and issuing such cards.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Robin M. Reitzes
ROBIN M. REITZES

PUBLIC TRANSPORTATION DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
February 9, 1998	§	February 17, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisors Newsom Teng	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-97-75

FEB 26 1998
Date Approved

Mayor

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FILE NO. 124-97-006 ORDINANCE NO. 66-98

[PROOF OF PAYMENT; PASSENGER CONDUCT VIOLATIONS]

AMENDING ARTICLE 2 OF PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE), BY AMENDING SECTION 3.2 TO REDEFINE "STREETCAR;" BY REPEALING SECTION 126 REGARDING BOARDING AND ALIGHTING STREETCARS OR VEHICLES AND REENACTING THAT PROVISION IN SECTION 128; BY AMENDING SECTION 127 TO ALLOW BOARDING OF PUBLIC TRANSIT VEHICLES THROUGH REAR DOORS UNDER SOME CIRCUMSTANCES AND TO REQUIRE TRANSIT PASSENGERS TO DISPLAY PROOF OF PAYMENT OF FARES; BY REPEALING AND REENACTING SECTION 128 TO INSTITUTE OTHER PASSENGER CONDUCT VIOLATIONS; BY AMENDING SECTION 128.1 TO IMPOSE PENALTIES FOR VIOLATION OF SECTIONS 127 AND 128; BY ADDING SECTION 128.1-A TO AUTHORIZE FARE INSPECTORS; BY REPEALING SECTION 129 REGARDING EXPECTORATING IN TRANSIT VEHICLES AND REENACTING THAT PROVISION IN SECTION 128; AND STATING THE INTENT OF THE BOARD THAT FUNDS FROM ENFORCEMENT OF SECTIONS 127, 128 AND PENAL CODE SECTION 640 BE USED TO DEFRAY COSTS OF THE PROOF OF PAYMENT PROGRAM AND THAT AN AUDIT BE PERFORMED EVERY THREE YEARS.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 2, Part II, Chapter XI of the San Francisco Traffic Code is hereby amended by amending Section 3.2, to read as follows:

SEC. 3.2. STREETCAR. Every device traveling exclusively upon rails or crossing a street, when propelled by electricity or a moving

cable. Streetcars include light rail vehicles in surface and subway operation.

Section 2. Article 2, Part II, Chapter XI of the San Francisco Traffic Code is hereby amended by repealing Section 126 as follows:

((**SEC. 126. BOARDING OR ALIGHTING FROM STREETCARS OR OTHER VEHICLES.** It shall be unlawful for any person to board or alight from a streetcar or vehicle while said streetcar or vehicle is in motion.))

Section 3. Article 2, Part II, Chapter XI of the San Francisco Traffic Code is hereby amended by amending Section 127, to read as follows:

SEC. 127. PROOF OF PAYMENT DEFINED; BOARDING STREETCAR, ((OR)) MOTOR((BUS)) COACH, OR TROLLEY COACH WITHOUT ((CONCURRENT)) PAYMENT OF FARE, OR BOARDING STREETCAR, ((OR)) MOTOR((BUS)) COACH, OR TROLLEY COACH THROUGH REAR EXIT.

(A) "Proof of payment" or "proof of payment program" shall mean a fare collection system that requires transit passengers to possess a valid fare receipt or transit pass upon boarding a transit vehicle or entering a paid area of a subway or boarding platform, and subjects said passengers to inspections for proof of payment of fare by any authorized representative of the transit system or duly authorized peace officer.

(B) It shall be unlawful for any person to board or ride a streetcar, ((or a)) motor((bus)) coach, ((or a)) trolley coach without prior or concurrent payment of fare.((, or))

(C) It shall be unlawful for any person to board a streetcar,((or)) motor((bus))coach, ((or a))trolley coach through the

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MAR 1 2 1998

rear exit except: (1) when a representative of the transit system is present at such exit for the collection of fares or transfers or the inspection for proof of payment; (2) when the streetcar, motor coach, trolley coach or other transit vehicle is operating at a station or boarding platform where fares are collected prior to boarding the transit vehicle; (3) when necessary for access by the disabled on wayside boarding platforms; or (4) when the streetcar, motor coach, or trolley coach is operating on a transit line or area designated as "proof of payment" by the Public Transportation Commission or its designated representative.

(D) It shall be unlawful to fail to display a valid fare receipt or transit pass at the request of any authorized representative of the transit system or duly authorized peace officer while on a vehicle or in an area designated as requiring proof of payment.

(E) It shall be unlawful to misuse any transfer, pass, ticket, or token with the intent to evade the payment of any fare.

Section 3. Article 2, Part II, Chapter XI of the San Francisco Traffic Code, is hereby amended by repealing Section 128 as follows:

((**SEC. 128. PASSENGER CONDUCT REGULATIONS.** It shall be unlawful for any passenger or other person in or about any station, streetcar, cable car, bus, trolley coach or public transit vehicle, including, but not limited to, those operated by the Bay Area Rapid Transit District, to refuse to pay his fare, to interfere with the turnstile or fare register, to meddle with the trolley pole or rope attached thereto, or to sound any bell or other warning device, without authorization, or in any manner to

obstruct any person or persons in charge of such station, streetcar, cable car, bus, trolley coach or public transit vehicle, including, but not limited to, those operated by the Bay Area Rapid Transit District, in the performance of his or their duties, or otherwise interfere with the operation thereof.))

Section 4. Article 2, Part II, Chapter XI of the San Francisco Traffic Code, is hereby amended by adding a new Section 128 to read as follows:

SEC. 128. PASSENGER CONDUCT REGULATIONS. It shall be unlawful for any passenger or other person in or about any public transit station (including an outdoor high-level boarding platform), streetcar, cable car, motor coach, trolley coach or other public transit vehicle, including, but not limited to, those stations or vehicles operated by the Bay Area Rapid Transit District:

(a) to knowingly provide false identification to a peace officer, fare inspector or other representative of the transit system when engaged in the enforcement of this ordinance or other City or state laws regarding fare collection, fare evasion, passenger conduct or proof of payment;

(b) to interfere with the turnstile or fare register;

(c) to meddle with the trolley pole or rope attached thereto;

(d) to meddle with tracks, switches, turnouts, or any other transit system structures or facilities;

(e) to enter upon the roadbed, tracks, structures or other portions of transit system property or facilities not open to passengers or the

public;

(f) to carry any explosive or acid, flammable liquid, or toxic or hazardous material;

(g) to urinate or defecate in any public transit vehicle or facility, except in a lavatory. However, this paragraph shall not apply to any person who cannot comply with this paragraph as a result of a disability, age or a medical condition;

(h) in any manner to obstruct any person or persons in charge of any transit station or facility, streetcar, cable car, bus, trolley coach or public transit vehicle, in the performance of such person's duties, or otherwise interfere with the operation thereof;

(i) to sound any bell or other warning device, without authorization;

(j) to play sound equipment on any transit vehicle;

(k) to smoke, eat or drink;

(l) to expectorate;

(m) to willfully disturb others by engaging in boisterous or unruly behavior;

(n) to board or alight while the transit vehicle is in motion;

(o) to ride roller skates, inline skates, skateboards, toy vehicles, coasters or similar devices.

Section 5. Article 2, Part II, Chapter XI of the San Francisco Traffic Code is hereby amended by amending Section 128.1, to read as follows:

SEC. 128.1. PENALTY. Any person who shall violate any of the

provisions of Section 127 or subsections (j), (k), (l) (m) (n) or (o) of Section 128 of this Article shall be guilty of an infraction. Any person who shall violate any of the provisions of subsections (a), (b), (c), (d), (e), (f), (g), (h) or (i) of Section 128 of this Article shall be guilty of a misdemeanor((; provided, however, upon sentencing, the charge may, in the discretion of the Court be reduced to an infraction)).

If charged and convicted for a misdemeanor, the penalty therefor shall be by imprisonment in the County Jail not exceeding six months and/or a fine not exceeding $500.

If charged and found guilty of an infraction((by the Court)), the penalty shall be as follows:((prescribed by Section 130 of this Chapter.)) For the first offense, a fine of $35; for the second offense within a period of one year from the date of the first offense, a fine of $55; for a third and each additional offense committed within one year from the date of the first offense, a fine of $75.

Section 5. Article 2, Part II, Chapter XI of the San Francisco Traffic Code is hereby amended by adding Section 128.1-A, to read as follows:

SEC. 128.1-A. FARE INSPECTORS.

(a) The Director of Public Transportation is authorized to designate officers or employees of the Public Transportation Department to be fare inspectors. Any fare inspector so designated is hereby authorized to issue citations for any violation of Sections 127 and 128 of this Article.

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(b) Persons designated as fare inspectors shall receive the requisite training as established and approved by the Public Transportation Department and the San Francisco Police Department.

Section 5. Article 2, Part II, Chapter XI of the San Francisco Traffic Code is hereby amended by repealing Section 129 as follows:

((**SEC. 129. EXPECTORATING ON FLOOR AT ANY INSIDE AREA, PROHIBITED.** It shall be unlawful for any passenger or other person on board any streetcar, cable car, bus or trolley coach to expectorate on the floor or upon any inside area of such streetcar, cable car, bus or trolley coach.))

Section 6. Intent. It is the intent of the Board of Supervisors that all funds flowing to the City and County of San Francisco from enforcement of Sections 127 and 128 of the Traffic Code and Section 640 of the Penal Code be used, to the extent permissible by law, to defray costs of the proof of payment program. Such costs may include, but are not limited to, training of fare inspectors and peace officers for the program, personnel costs, including salary and benefits, for the program, material and equipment, prosecution, administration, and court expenses. It is the further intent of the Board that an audit be performed every three years of amounts received and expended for the proof of payment program.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
ROBIN M. REITZES
Deputy City Attorney

PUBLIC TRANSPORTATION DEPARTMENT
BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 9, 1998	February 17, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Absent: Supervisors Newsom Teng	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
124-97-6

FEB 26 1998
Date Approved

_____
Mayor

FILE NO. 172-97-19 ORDINANCE NO. 67-98

(Contract Amendment)

APPROVING THIRD AMENDMENT TO ADVERTISING TRANSIT SHELTER AGREEMENT BETWEEN CITY AND COUNTY OF SAN FRANCISCO AND OUTDOOR SYSTEMS, INC. TO MAINTAIN MUNI METRO EXTENSION AND F-LINE BOARDING PLATFORMS IN EXCHANGE FOR ADVERTISING ON PLATFORMS AND TO EXPAND TRANSIT SHELTER PROGRAM.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby approves the Third Amendment to Advertising Transit Shelter Agreement by and between the City and County of San Francisco and Outdoor Systems, Inc., approved by Public Transportation Commission Resolutions No. 97-034 and 97-160, adopted March 25, 1997, and December 9, 1997, respectively, a copy of which Agreement is contained in Board of Supervisors' file number 172-97-19.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

BY
ROBIN M. REITZES
Deputy City Attorney

BOARD OF SUPERVISORS
PUBLIC TRANSPORTATION DEPARTMENT

N:\TRANSPOR\RREITZES\SHELTERS\ORD DOC 3-Mar

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
February 9, 1998	§	February 17, 1998
Ayes: Supervisors Ammiano Bierman Katz Kaufman Medina Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
Noes: Supervisor Brown	§	
Absent: Supervisors Newsom Teng	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
172-97-19

FEB 26 1998
Date Approved

Mayor

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FILE NO. 98-0014 ORDINANCE NO. 68-98

[General Plan]

AMENDING ARTICLE III, CHAPTER 2A, PART I OF THE SAN FRANCISCO MUNICIPAL CODE (ADMINISTRATIVE CODE) BY ADDING SECTIONS 2A.52 AND 2A.53,, REQUIRING GENERAL PLAN REFERRAL REPORTS ON THE CONSISTENCY WITH THE CITY'S GENERAL PLAN OF CERTAIN ACTIONS TAKEN BY THE BOARD OF SUPERVISORS.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article III, Chapter 2A, Part I of the San Francisco Municipal Code (Administrative Code) is hereby amended by adding Section 2A.52 to read as follows:

SEC. 2A.52 CAPITAL IMPROVEMENT ADVISORY COMMITTEE - GENERAL PLAN REFERRALS. The Capital Improvement Advisory Committee cannot act upon the annual capital expenditure plan, six year capital improvement program, a capital improvement project or a long-term financing proposal such as, but not limited to, general obligation or revenue bonds or non-profit corporation proposals until a General Plan Referral report has been rendered by the Planning Department regarding conformity of the project with the General Plan. In order to complete the General Plan Referral Report in a timely fashion, early involvement of the Planning Department in the planning process is advised. The Planning Department is available to prepare a Policy

Analysis Report. This report will provide policy guidance for the planning and decision making of the proposal and its alternatives.

If the Planning Department fails to render a General Plan Referral report within 45 days after receipt of such referral, unless a longer time has been granted by the Board of Supervisors, said capital improvement plan shall be deemed to be in conformity with the General Plan. Procedures for General Plan referrals as set forth in Section 2A.53 of this Code shall be applicable.

Further, to facilitate rational prioritization of capital improvement projects over a six year time period and within the resource and debt capacity, the Planning Department shall assist in developing a Strategic Plan for Capital Expenditures for use of the Capital Improvement Advisory Committee and the Board of Supervisors.

Section 2. Article III, Chapter 2A, Part I of the San Francisco Municipal Code Administrative Code) is hereby amended by adding Section 2A.53 to read as follows:

SEC. 2A.53 GENERAL PLAN REFERRALS. (a) **General.** The Charter requires that the Planning Department prepare written reports regarding the conformity with the General Plan for the use of the Board of Supervisors prior to its action on the acquisition, vacation, sale, change in use or title of public property, subdivision of land, construction or improvement of public buildings

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or structures, plans for public housing or public assisted private housing, or redevelopment project plans, within the City and County.

(b) **Purpose**. The General Plan is a compendium of policies on all aspects of the City and County's physical development, formulated with extensive public participation, adopted by the Planning Commission, and approved by the Board of Supervisors. In order to implement the public policy contained in the General Plan, the following procedures will be used in determining consistency with the General Plan and reporting the findings to the Board of Supervisors in a timely manner prior to action on the proposal. Early involvement of the Planning Department in the planning of a project or plan is advisable to avoid delays. The Planning Department is available to provide Policy Analysis Reports on issues concerning the physical development of the city as a proactive information tool for decision making and analysis of applicable public policy as contained in the General Plan.

(c) **Applicability**. The following actions by the Board of Supervisors require a written report from the Planning Department on the consistency of the proposed action with the General Plan:

(1) Proposed ordinances and resolutions concerning the acquisition, extension, widening, narrowing, removal, relocation, vacation, abandonment, sale or change in the use of any public way, transportation route, ground, open space, building, or structure owned by the City and County;

(2) Subdivisions of land within the City and County;

(3) Projects for the construction or improvement of public buildings or structures within the City and County, the annual capital expenditure plan, six year capital improvement program, a capital improvement project or a long-term financing proposal such as, but not limited to, general obligation or revenue bonds or non-profit corporation proposals;

(4) Project plans for public housing, or publicly assisted private housing in the City and County;

(5) Redevelopment project plans within the City and County;

(6) Programs and schedules which link the General Plan to the allocation of local, state and federal resources; and

(7) Any substantial change to any of the above actions.

(d) **Application**. Property owners, public agencies and their respective agents shall initiate General Plan Referrals by filing a completed application containing all required information with the Planning Department and paying an initial fee set forth in the Planning Code. The remainder of the fee, based on time and materials, shall be paid prior to the transmittal of the General Plan Referral Report to the applicant or Board of Supervisors. The Planning Department shall determine whether the application is complete and shall notify the applicant and, in the case of an incomplete application, request the necessary information.

(e) **Determination**. For most General Plan Referral applications, a written General Plan Referral Report stating that a proposed action is consistent with the General Plan, shall be transmitted to the applicant for submittal with the proposal to the Board of Supervisors

in 45 days after accepting a complete application. If the response requires more than 45 days because of environmental review procedures, the complexity of the proposed action, public controversy generated by the proposal, or a public hearing before the Planning Commission, the Department shall notify the applicant and Board of Supervisors.

Proposals which are inconsistent with the General Plan, complex or have generated public controversy, shall require a public hearing and determination by the Planning Commission. The Planning Commission resolution finding a proposal in conformity with the General Plan shall be submitted to the Board of Supervisors and the applicant within five business days after receipt of payment.

(f) **Board of Supervisor Action.** Resolutions or motions for actions listed under (c) of this section shall include a finding of consistency with the General Plan. The Planning Commission disapproval of a proposed action may be overruled by a vote of not less than two-thirds of the members of the Board of Supervisors

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____

JOSEPH M. FRESCHI

Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	§	**Finally Passed**
	§	
February 9, 1998	§	**February 17, 1998**
	§	
	§	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee	§	**Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee**
	§	
	§	
Absent: Supervisors Newsom Teng	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 98-0014

FEB 26 1998
_____
Date Approved

_____
Mayor

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2/4/98 - As amended in Committee.

FILE NO. 98-0050
(Government Funding)

ORDINANCE NO. 69-98
RO#97187
SA#65

4/98 b **APPROPRIATING $73,306 ~~$82,448~~ FROM THE GENERAL FUND RESERVE-ETHICS COMMISSION FOR SALARY, FRINGE BENEFITS AND NON-PERSONAL SERVICES AND FOR THE CREATION OF 1.41 POSITIONS FOR THE ETHICS COMMISSION FOR FISCAL YEAR 1997-98;** PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	UN-UNA General Unallocated	FCZ General City Responsibility	
Funding Sources			
097-097EC (*CON1GAGFAAA)	General Reserve-Ethics Com	$73,306 ~~$82,448~~	
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	ETH01 Ethics Commission	FET Ethics Commission	
Funding Uses			
001-00101 (185002)	Permanent Salaries		$25,106 ~~$31,003~~
013-01900 (185002)	Fringe Benefits		$5,272 ~~$6,037~~
021-03599 (185002)	Non-Personal Services		$42,928 ~~$44,208~~
	Total	$73,306 ~~$82,448~~	$73,306 ~~$82,448~~

'98

Section 2 Funds are appropriated for the creation of 1.41 positions by amendment to the Annual Salary Ordinance (Board of Supervisors File No. 98-0057) as follows:

Class No.	Classification Title	Rate	Position Created
Program: FET - Ethics Commission Index Code: 185002; Sub-Object: 00101			
1366 N	Special Assistant VII	1499B1818	0.42
1426 N	Senior Clerk Typist	1223B1481	0.42
1403 ~~N~~ L	Election Clerk	1188B1440	0.57
	Total positions created		1.41

2/4/98 jlb

Section 3. Although the Board of Supervisors has incurred no legal obligation, the Board of Supervisors does hereby ratify the action previously taken.

2/4/98 jlb

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

EDWARD M. HARRINGTON
CONTROLLER

BY: _____

DEPARTMENT OF HUMAN RESOURCES

BY: _____
ANDREA R. GOURDINE, DIRECTOR

n\excel\appro\18aa657

BOARD OF SUPERVISORS

BOARD OF SUPERVISORS

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MAR 12 1998
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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 9, 1998	$	February 17, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	$	
	$	
Absent: Supervisors Newsom Teng	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0050

FEB 26 1998
Date Approved

Mayor

2/4/98-As amended in Committee.

FILE NO. 98-0057 ORDINANCE NO. 70-98

PUBLIC EMPLOYMENT SAL. ORD. AMEND. NO. 17

AMENDING ORDINANCE NO. 307-97 (ANNUAL SALARY ORDINANCE, 1997/98) REFLECTING THE CREATION OF 1.41 NEW POSITIONS IN THE ETHICS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 307-97, (Annual Salary Ordinance, 1997/98) are hereby amended so that the same shall read as follows:

Department: ETH Ethics Commission
Program: FET Ethics Commission
Sub-Fund: 1G AGF AAA GF-Non-Project-Controlled

Amendment	No. Pos.	Class and Item No.		Compensation Schedule
0.42 Added	0.42	1366 N Special Assistant VII	SC	$1499B1818
0.42 Added	0.42	1426 N Sr. Clerk Typist	SC	$1223B1481
0.57 Added	0.57	~~1403 N~~ 1403 L Election Clerk	SC	$1188B1440

APPROVED AS TO CLASSIFICATION:
DEPARTMENT OF HUMAN RESOURCES

HUMAN RESOURCES DIRECTOR

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: DEPUTY CITY ATTORNEY

NO. 17

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading
February 9, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee

Absent: Supervisors Newsom Teng

Finally Passed
February 17, 1998

Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0057

FEB 26 1998
Date Approved

Mayor

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MAR 13 1998
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 98-0092
(Government Funding)

ORDINANCE NO. 71-98
RO#97189
SA#67

/4/98
lb

$1,225,367

APPROPRIATING ~~$1,582,367~~ ($400,000 FROM THE GENERAL FUND RESERVE, $114,367 BUDGET INCENTIVE RESERVE, $354,000 FINE AND FEE REVENUES AND $357,000 FUHRMAN GIFT FUND AND RESCINDING $357,000 GENERAL FUND BOOKS) TO FUND SALARIES, PROFESSIONAL SERVICES, BOOKS AND EQUIPMENT FOR THE DEPARTMENT OF PUBLIC LIBRARY FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
7E-BEQ-BEQ Expendable Trust Funds-Bequests	LIB-01 Public Library	EGB Technical Services	
Funding Source			
999-99999 (410118)	Fuhrman Fund Balance	$357,000	
040-04971 (410118)	Books-Fuhrman Fund		$357,000
	Total 7E-BEQ-BEQ	$357,000	$357,000
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	UN-UNA General Unallocated	FCZ General City Responsibilities	
Funding Sources:			
097-097GR (*CON1GAGFAAA)	General Fund Reserve	$400,000	
097-097BI (*CON1GAGFAAA)	Budget Incentive Reserve	$114,367	
040-04971 (415011)	General Fund -Books	$357,000	

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	LIB-01 Public Library	EIB Library Management	
350-39899 (415002)	Other City Property Rentals	$27,964	
400-44929 (415002)	Misc-Federal Subventions	$159,700	
600-62599 (415002)	Books Paid	$10,316	
600-62531 (415002)	Fines	$20,764	
600-62541 (415002)	Reserve Postal Card Sold	$10,028	
600-62542 (415002)	Library Events/Meeting Room Fees	$125,228	
Fund Uses:			
001-00100 (415012)	Salaries (Step Adjustment Increase)		$522,000
013-01901 (415012)	Fringe Benefits		$78,000
021-02700 (415012)	Professional & Specialized Services - Budget		$511,000
060-06000 (415012)	Equipment Purchase-Budget		$114,367
	Total General Fund	$1,225,367	$1,225,367

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
EDWARD M. HARRINGTON
CONTROLLER

BY [signature]

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MAR 12 1998
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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 9, 1998	$	February 17, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	$	
	$	
Absent: Supervisors Newsom Teng	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0092

FEB 26 1998

Date Approved

Mayor

FILE NO. 98-0111 ORDINANCE NO. 72-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 334 IN THE BROAD/RANDOLPH/19TH AVENUE AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 334

(Broad/Randolph/19th)

District covering Broad Street from the westerly line of San Jose Avenue to the easterly line of Orizaba Avenue, Orizaba Avenue from the southerly line of Broad Street to the northerly line of Randolph Street, Randolph Street from the westerly line of Orizaba Avenue to the easterly line of 19th Avenue, 19th Avenue from the northerly line of Randolph Street to the easterly line of Junipero Serra Boulevard.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires and is being done in conjunction with other public improvements.

Supervisors Medina, Bierman

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: [signature]
Deputy City Attorney

APPROVED:

[signature]
for Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

[signature]
Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

DOCUMENTS DEPT
MAR 12 1998

cc

Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 9, 1998	$	February 17, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	$	
	$	
Absent: Supervisors Newsom Teng	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0111

FEB 26 1998
Date Approved

Mayor

FILE NO. 98-0112 ORDINANCE NO. 73-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 335 IN THE UPPER FOLSOM AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 335

(Upper Folsom)

District covering Folsom Street from Cesar Chavez Street to Bernal Heights Boulevard.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires and is being done in conjunction with other public improvements.

Supervisors Medina, Bierman

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Boggio
Deputy City Attorney

APPROVED:

Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Denise M. Berg
for Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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cc

Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 9, 1998	$	February 17, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Yaki Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee
	$	
	$	
Absent: Supervisors Newsom Teng	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0112

FEB 26 1998

Date Approved

Mayor

Govt Information Ctr
41 Main Library-Civic Center
100 Larkin Street
Mailslot

FILE NO. 97-97-34.1 AS AMENDED IN COMMITTEE 2/05/98 ORDINANCE NO. 74-98

[Apartment Unit Conversion]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE CHAPTER 41A (APARTMENT UNIT CONVERSION ORDINANCE) BY AMENDING SECTIONS 41A.4 AND 41A.5 TO INCREASE THE MINIMUM RENTAL TERM FROM A DAILY TERM TO A TERM OF AT LEAST 30 DAYS AND BY ADDING SECTION 41.A8 TO PROVIDE SPECIFIED ADMINISTRATIVE, CIVIL, AND CRIMINAL PENALTIES FOR VIOLATIONS OF THIS CHAPTER.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code Chapter 41A (Apartment Unit Conversion Ordinance) is hereby amended by amending Sections 41A.4, and 41A.5 and by adding Section 41A.8 to read as follows:

SEC. 41A.4. DEFINITIONS. (a) **Apartment Unit.** Room or rooms in any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of four or more households living independently of each other in dwelling units as defined in the San Francisco Housing Code, provided that the apartment unit was occupied by a permanent resident on or after February 8, 1981. It is presumed that an apartment unit was occupied by a permanent resident on or after February 8, 1981, and the owner has the burden of proof to show that an apartment unit is not subject to this Chapter.

(b) **Residential Use.** Any use for occupancy as a dwelling unit by a permanent resident.

(c) **Tourist or Transient Use.** Use of an apartment unit for occupancy on a ((daily)) less than a 30-day term of tenancy((; or occupancy of a unit leased by a business entity, whether on short-term or long-term basis, for temporary use of its employees or guests)).

(d) **Permanent Resident.** A person who occupies an apartment unit for at least 60 consecutive days with intent to establish that unit as his or her principal place or residence.

(e) **Conversion or Convert.** The change of the use or to rent an apartment unit from residential use to tourist ((and)) or transient use.

(f) **Owner.** Owner includes any person who is the owner of record of the real property. Owner includes a lessee where an interested party alleges that a lessee is offering an apartment unit for tourist or transient use.

(g) **Interested Party.** A permanent resident of the building in which the tourist or transient use is alleged to occur or the City and County of San Francisco.

(h) **Director.** The Director of the Department of Building Inspection.

SEC. 41A.5. UNLAWFUL CONVERSION; REMEDIES. (a) **Unlawful Actions.** It shall be unlawful for any owner to offer an apartment unit for rent for tourist or transient use.

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(b) **Determination of Violation.** Upon the filing of a complaint by a permanent resident that an unlawful conversion has occurred, the Director shall take reasonable steps necessary to determine the validity of the complaint. The Director may independently determine whether an owner may be renting an apartment unit for tourist or transient use as defined in this Chapter. To determine if there is a violation of this Chapter, the Director may initiate an investigation of the subject property. This investigation may include, but is not limited to, an inspection of the subject property and a request for any pertinent information from the owner, such as leases or other documents.

(((b))) (c) **Civil Action ((by Tenant)).** ((Any permanent resident injured by any action unlawful under this chapter shall be entitled to injunctive relief and to recover three times the actual damages in a civil action.)) Except as provided by Subsection (1) below, any interested party may institute proceedings for injunctive and monetary relief for violation of this Chapter. In addition, the owner may be liable for civil penalties of not more than $1,000 per day for the period of the unlawful rental. If the interested party is the prevailing party, such party shall be entitled to the costs of enforcing this Chapter, including reasonable attorneys' fees, pursuant to an order of the Court. If the interested party is a permanent resident, then the interested party shall retain the entire monetary award. Any monetary award obtained by the City and County of San Francisco in such a civil action shall be deposited in the

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Mayor's Office of Housing Housing Affordability Fund less the reasonable costs incurred by the City and County of San Francisco in pursuing the civil action.

(1) If the interested party is a permanent resident, such resident, as a condition to initiating civil proceedings pursuant to Subsection (c), must satisfy the requirements set forth in Section 41A.8(b)(2).

(d) **Criminal Penalties.** Any owner who rents an apartment unit for tourist or transient use as defined in this Chapter shall be guilty of a misdemeanor. Any person convicted of a misdemeanor hereunder shall be punishable by a fine of not more than $1,000 or by imprisonment in the County Jail for a period of not more than six months, or by both. Each apartment unit rented for tourist or transient use shall constitute a separate offense.

(e) **Method of Enforcement, Director.** The Director shall have the authority to enforce this Chapter against violations thereof by any or all of the means provided for in this Section.

SEC. 41A.8 PROCEDURES FOR DETERMINING AND APPEALING ADMINISTRATIVE PENALTIES. (a) **Notice of Complaint.** Within 10 days of the filing of a complaint or upon the Director's independent finding that there may be a violation of this Chapter, the Director shall notify the owner by certified mail that the owner's apartment unit is the subject of an investigation for an unlawful rental.

(b) **Director's Determination of a Violation; Notice.** Upon reviewing the information set forth in the complaint, if any, and any

information obtained by the Director during his or her investigation, the Director shall determine whether an owner has violated this Chapter. The Director shall notify by certified mail the complainant and the owner of his or her determination.

(1) If the Director determines that a violation has occurred, the Director's notice shall:

(A) specify a reasonable period of time during which the owner must correct or otherwise remedy the violation and

(B) state that if the violation is not corrected or otherwise remedied within this period, the owner may be required to pay the administrative penalties set forth in Subsection (c).

(2) If the Director determines that no violation has occurred, for purposes of filing a civil action authorized by Section 41A.5(c)(1), the Director's determination is final.

(c) **Imposition of Administrative Penalties for Unabated Violations and Enforcement Costs.** (1) Administrative Penalties. If the Director, upon further investigation, finds that the violation has continued unabated beyond the time specified in the notice required by Subsection (b)(1)(A), the Director may impose an administrative penalty of not more than three times the rental rate charged for each unlawfully converted unit from the day the unlawful rental commenced until such time as the unlawful rental terminates. The rental rate charged shall be the rent charged, whether daily, weekly, or otherwise calculated, for the apartment unit during the period of the unlawful use.

(2) Enforcement Costs. The Director also may require the owner to reimburse the City for the costs of enforcement of this Chapter, which shall include, but not be limited to, reasonable attorneys' fees.

(d) **Notice of Director's Determination of Continuing Violation and Imposition of Penalties.** The Director shall notify the owner by certified mail that the violation has continued unabated and that administrative penalties shall be imposed pursuant to Subsection (c). The notice shall state the basis of the Director's determination regarding the continued existence of the violation and the resulting imposition of penalties. The notice also shall inform the owner of the right to request a hearing within 10 days of the notice date to contest the Director's determination on the continuation of the violation and the imposition of penalties.

(e) **Confirmation of Continuing Violation and Imposition of Penalties.** If no request is timely filed for an administrative review hearing, the Director's determination regarding the continuation of the violation and the imposition of penalties shall be deemed confirmed. The Director may then request payment of the administrative penalties and enforcement costs within 30 days of the certified mailed notice to the owner. If the administrative penalties and enforcement costs are not paid, the Director is authorized to initiate lien procedures to secure the amount of the penalties and costs against the real property that is subject to this Chapter, pursuant to the provisions of Section 41.20(d) of this Code;

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provided however, that the City Treasurer shall distribute all sums collected pursuant to Subsection (l) herein.

(f) **Notice of Administrative Review Hearing.** Whenever an administrative review hearing is requested pursuant to Subsection (d), the Director, within 45 calendar days of the request, shall notify the owner of the date, time, and place of the hearing by certified mail. Notice of the hearing shall be conspicuously posted on the building that is the subject of the hearing. The owner shall state under oath at the hearing that the notice remained posted for at least 10 calendar days prior the hearing. The Director shall appoint a hearing officer to conduct the hearing.

(g) **Pre-hearing Submission.** No less than three working days prior to the administrative review hearing, parties to the hearing shall submit written information to the Department of Building Inspection including, but not limited to, the following: the issues to be determined by the hearing officer and the evidence to be offered at the hearing. Such information shall be forwarded to the hearing officer prior to the hearing along with any information compiled by the Director.

(h) **Hearing Procedure.** If more than one hearing is requested for apartment units located in the same building at or about the same time, the Director shall consolidate all of the hearings into one hearing. The hearing shall be tape recorded. Any party to the hearing may at his or her own expense, cause the hearing to be recorded by a certified court reporter. Parties may be

represented by counsel and have the right to cross-examine witnesses. All testimony shall be given under oath. Written decisions and findings shall be rendered by the hearing officer within 20 working days of the hearing. Copies of the findings and decision shall be served upon the parties by certified mail. A notice that a copy of the findings and decision is available for inspection between the hours of 9:00 a.m. and 5:00 p.m. Monday through Friday shall be posted by the owner in the building in the same location in which the notice of the administrative review hearing was posted.

(i) **Finality of the Hearing Officer's Decision and Appeal.** The decision of the hearing officer shall be final. Within 20 days after service of the hearing officer's decision, any party other than the City and County of San Francisco, may seek review of the hearing officer's decision by the municipal court, according to the procedures set forth in California Government Code Section 53069.4.

(j) **Confirmation of Hearing officer Decision.** If no notice of appeal of the hearing officer's decision is timely filed, the decision shall be deemed confirmed. If any imposed administrative penalties and costs have not been deposited at this time, the Director may proceed to collect the penalties and costs pursuant to the lien procedures set forth in Subsection (e).

(k) **Collection of Penalties after Municipal Court Decision.** If the court finds in favor of the contestant, the amount of the municipal court filing fee shall be reimbursed to the contestant by the City and County of San Francisco. If the administrative penalty

has been deposited, the City and County of San Francisco shall distribute the administrative penalty in accordance with the judgment of the court. If the administrative penalties and enforcement costs have not been deposited and the decision of the municipal court is against the contestant, the Director may proceed to collect the penalties and costs.

(l) **Deposit of Penalties.** Administrative penalties paid pursuant to this Chapter shall be deposited in the Mayor's Office of Housing Housing Affordability Fund less the reasonable costs incurred by the City and County of San Francisco in pursuing the lien procedures set forth in Subsection (e), if such procedures were undertaken. If enforcement costs were imposed pursuant to Subsection (c), such funds shall be distributed according to the purpose for which they were collected.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
JOHN D. MALAMUT
Deputy City Attorney

SUPERVISORS TENG, KATZ, YAKI, BROWN, MEDINA

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
February 17, 1998	§	February 23, 1998
Ayes: Supervisors Brown Katz Medina Kaufman Newsom Teng Yaki Yee	§	Ayes: Supervisors Brown Katz Medina Kaufman Newsom Teng Yaki Yee
Noes: Supervisors Ammiano Bierman	§	Noes: Supervisors Ammiano Bierman

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-97-34.1

MAR - 6 1998
Date Approved

Mayor

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FILE NO. 110-97-1 ORDINANCE NO. 75-98

[Cabaret Permit Moratorium]

AMENDING ARTICLE 15.2 OF THE SAN FRANCISCO POLICE CODE BY ADDING SECTION 1070.26 TO CREATE A MORATORIUM ON THE ISSUANCE OF CABARET PERMITS FOR TWO YEARS WITHIN THE AREA BOUNDED BY BUSH STREET TO THE NORTH, O'FARRELL STREET TO THE SOUTH, TAYLOR STREET TO THE EAST AND VAN NESS AVENUE TO THE WEST.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

A. The property in the area generally bound by Bush Street to the North, O'Farrell Street to the South, Taylor Street to the East and Van Ness Avenue to the West ("Moratorium Area") is a mostly residential neighborhood with an large number of establishments open from 2:00 a.m. until 6:00 a.m.

B. No one may own or operate an establishment open from 2:00 a.m. until 6:00 a.m. without a cabaret permit issued by the Chief of Police.

C. These establishments result in excessive street noise during the hours of 2:00 a.m. and 6:00 a.m. These establishments also become potential magnets for prostitution, drug dealing, and other street crimes detrimental to the neighborhood.

D. A temporary moratorium on the issuance of cabaret permits in the Moratorium Area will allow the neighborhood to work with the

Planning Department and Planning Commission to develop permanent zoning controls that would protect the residential character of the Moratorium Area. The moratorium will also aid an ongoing neighborhood effort to reduce crime in the Moratorium Area.

Section 2. Article 15.2 of the San Francisco Police Code is hereby amended by adding Section 1070.26, to read as follows:

Section 1070.26. MORATORIUM ON THE GRANTING OF PERMITS

Notwithstanding any provision of this Code, neither the Chief of Police, nor the Board of Appeals on appeal, shall grant or issue to any person a permit to own, conduct, operate, maintain or to participate therein, or to cause or permit to be conducted, operated or maintained, any cabaret in the Moratorium Area described below in subsection (a).

(a) Moratorium Area Described. The "Moratorium Area" includes the area bounded by Bush Street to the North, O'Farrell Street to the South, Taylor Street to the East, and Van Ness Avenue to the West, including the properties fronting on each side of O'Farrell, Bush, and Taylor Streets, but not including the properties fronting Van Ness Avenue.

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(b) **Sunset Provision.** The moratorium provided by this ordinance shall expire two years from the effective date of this section, unless repealed or further extended by ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
WILLIAM M. FLEISHHACKER
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 17, 1998	$	February 23, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	$	Brown Katz Kaufman Medina Newsom
Teng Yaki Yee	$	Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
110-97-1

MAR - 6 1998
Date Approved

_____
Mayor

FILE NO. 121-97-9 ORDINANCE NO. 76-98

[Extended-Hours Premises]

AMENDING PART II, CHAPTER VIII, OF THE SAN FRANCISCO MUNICIPAL CODE(POLICE CODE) BY AMENDING ARTICLE 15.2 (ENTERTAINMENT REGULATIONS FOR CABARETS), SECTIONS 1070, 1070.1, 1070.3, 1070.5, 1070.7, 1070.8, 1070.12, 1070.13, 1070.16, 1070.17, 1070.19, 1070.20-1, 1070.21, AND 1070.23, TO SUBSTITUTE THE TERM 'EXTENDED-HOURS PREMISES" FOR "CABARET," AND TO CONFORM TERMINOLOGY TO THE 1996 CHARTER.

Note: Additions or substitutions are underlined;
deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 15.2 of the San Francisco Police Code is hereby amended by amending Sections 1070, 1070.1, 1070.3, 1070.5, 1070.7, 1070.8, 1070.12, 1070.13, 1070.16, 1070.17, 1070.19, 1070.20-1, 1070.21, and 1070.23, to read as follows:

SEC. 1070. DEFINITIONS. For the purpose of this Article, the following words and phrases shall mean and include:

(a) **Extended-Hours Premises ((Cabaret)).** Every premises to which patrons or members are admitted or which allows patrons or members to remain on the premises between the hours of 2:00 a.m. and 6:00 a.m. which serves food, beverages, or food and beverages, including but not limited to, alcoholic beverages, for consumption on the premises or wherein entertainment as defined in Subsections (b) and (c) is furnished or occurs upon the premises.

(1) **Dance Academies.** An extended-hours premises ((A cabaret)) shall also include a dance academy wherein students are admitted between the hours of 2:00 a.m. and 6:00 a.m., and instruction is given in ballroom or other types of dancing, whether given to the students in groups or individually.

(b) **Entertainment.** Any act, play, review, pantomime, scene, song, dance act, song and dance

act, or poetry recitation, conducted or participated in by any professional entertainer in or upon any premises to which patrons or members are admitted. "Entertainment" also includes a fashion or style show, except when conducted by a bona fide nonprofit club or organization as part of the social activities of such club or organization, and when conducted solely as a fund-raising activity for charitable purposes. (The term "professional entertainer" as used herein means a person or persons who engage in the presentation of entertainment for livelihood or gain.)

"Entertainment," in addition, is defined to mean and include the playing upon or use of any instrument that is capable of or can be used to produce musical sounds or percussion sounds, including but not limited to, reed, brass, percussion or string-like instruments; provided, further, that "entertainment" is defined to mean any instrument or device capable of producing or reproducing sound, which device is located in a premises open between the hours of 2:00 a.m. and 6:00 a.m.

(c) **Informal Entertainment.** Any act, play, review, pantomime, scene, song, dance act, song and dance act, or poetry recitation, conducted or participated in by any nonprofessional person or persons in or upon any premises to which patrons or members are admitted.

(d) **Person.** An individual, firm, partnership, joint venture, association, social club, fraternal organization, joint stock company, corporation, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit excepting the United States of America, the State of California, and any political subdivision of either thereof.

(e) **Operator.** Any person operating an extended-hours premises ((a cabaret)) in the City and County of San Francisco, including, but not limited to, the owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person operating such place of entertainment or amusement.

(f) **Bona Fide Nonprofit Club or Organization.** Any fraternal, charitable, religious or benevolent, or any other nonprofit organization having a regular membership association primarily for mutual social, mental, political and civic welfare, to which admissions limited to members and guests

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and revenue accruing therefrom to be used exclusively for the benevolent purpose of said organization and which organization or agency is exempt from taxation under the Internal Revenue laws of the United States as a bona fide fraternal, charitable, religious, benevolent or nonprofit organization.

(g) **Admission Charge.** Any charge for the right or privilege to enter any extended-hours premises ((cabaret)) including a minimum service charge, a cover charge or a charge made for the use of seats and tables, reserved and otherwise.

(h) **Tax Collector.** Tax Collector of the City and County of San Francisco.

(i) **"Bona Fide Public Eating Place."** A place which is regularly and in bona fide manner used and kept open for the serving of meals to guests for compensation and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the Department of Public Health. "Meals" means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. "Guests" shall mean persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this Section, however, shall be construed to require that any food be sold or purchased with any beverage.

SEC. 1070.1. PERMIT REQUIRED. It shall be unlawful for any person to own, conduct, operate, maintain or to participate therein, or to cause or permit to be conducted, operated or maintained, any extended-hours premises ((cabaret)) in the City and County of San Francisco without first having obtained a permit from the Chief of Police.

Any place or premises where a permit to operate is sought must conform to all existing health,

safety, and fire ordinances of the City and County of San Francisco, and must have a valid public eating place permit from the Department of Public Health. The Chief of Police may issue a permit under this Section conditional upon the applicant receiving the other required permits.

Any permit granted by the Chief of Police conditional upon the applicant receiving other required permits may be appealed to the Board of ((Permit)) Appeals. Such appeal must be filed within 10 days of the final decision of the Chief of Police issuing the conditional permit.

Any conditional permit granted by the Chief of Police will expire nine months from the date of the final decision of the Chief, if all the other required permits have not been received.

SEC. 1070.3. APPLICATION FORM. Operators under any permit issued pursuant to this Article shall be limited to the terms of the application. Except as otherwise provided herein, an application for a permit pursuant to the provisions of this Article shall specify:

(a) The address of the location for which the permit is required, together with the business name of such location.

(b) The name and proposed business address of the applicant. If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation; and the applicant shall also set forth the date and place of incorporation; the names and residence addresses of each of the officers, directors, and each stockholder owning more than 10 percent of the stock of the corporation. If the applicant is a partnership, the application shall set forth the name and residence address of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this Section pertaining to a corporate applicant apply.

(c) Whether or not the applicant or any officer or director or member of applicant, as the case may be, has ever been convicted of any crime except misdemeanor traffic violations. In addition to the foregoing, any corporate applicant shall state whether or not any stockholder owning more than 10 percent of the stock of such corporation has ever been convicted of any crime except misdemeanor

traffic violations. If any person mentioned in this subsection has been so convicted, a statement must be made giving the name of the person so convicted, the place and court in which the conviction was had, the specific charge under which the conviction was obtained, and the sentence imposed as the result of said conviction.

(d) The names and addresses of the persons who have authority or control over the place for which the permit is requested, and brief statement of the nature and extent of such authority and control.

(e) Such information pertinent to the operation of the proposed activity, including information as to management, authority, control, financial agreements, and lease arrangements, that is reasonably related to the factual determinations this ordinance empowers the Chief to make in reviewing and acting upon permit applications as the Chief of Police may require of an applicant in addition to the other requirements of this Section. The foregoing examples are in explanation and not in limitation of the information which the Chief of Police may require.

(f) A business plan for the proposed extended-hours premises ((cabaret)), specifying the days and hours of operation, the number of patrons, the numbers of employees and their duties, the identity of the manager or managers who shall be on premises during all hours of operation, the types or classes of entertainment (in terms of the types of instruments, numbers of performers and sound levels) to be provided, and the amount of parking, both on-site and off-site, to be provided. If sound amplification is to be used, the plan shall also include a specific description of the amplification system.

(g) The address to which notice, when required, is to be sent or mailed, and the name and address of a person authorized to accept service of process, if not otherwise set forth herein.

(h) Whether the application is for a new permit or for the renewal of an existing permit.

(i) The Chief of Police may require further information as he or she deems necessary.

SEC. 1070.5. DETERMINATION OF APPLICATION. (a) When an application is filed for a new permit under this Article, the Chief of Police shall fix a time and place for a public hearing

thereon to determine whether issuance of the permit would result in any of the conditions set forth in Subsection (e). The hearing must be held within 25 working days of the date the completed application is received.

(b) At the time of filing of an application, the applicant shall notify the Chief of Police of any outstanding requests for permits or approvals from other City departments relating to the premises of the proposed extended-hours premises ((cabaret)). The Chief of Police shall notify those departments of the filing of the application. Those departments shall complete all necessary inspections and report their determinations to the Chief of Police within 20 working days of the filing of the application.

(c) Not less than 10 days before the date of such hearing, the Chief of Police shall cause to be posted a notice of such hearing in a conspicuous place on the property in which or on which the proposed extended-hours premises ((cabaret)) is to be operated. Such notice shall set forth the specific type of entertainment which the applicant intends to conduct. Such posting of notice shall be carried out by the Police Department, and the applicant shall maintain said notice as posted the required number of days.

(d) At the hearing, the applicant and any other interested party, including the Police Department or any other public agency, shall be allowed to introduce evidence and present argument. The hearing officer shall issue a written statement of his or her conclusions to the Chief of Police within 10 working days of the close of the hearing. The Chief of Police shall make a final decision upon the application within five working days of receipt of the hearing officer's statement, and the Chief of Police shall notify the applicant, and any other interested party who has made a written request, of the final decision by first class mail.

(e) No time limit shall commence running until the submission of a completed application. Upon the applicant's request, the Chief of Police shall continue the hearing to allow the applicant opportunity to comply with the requirements of this Article or any other state or local law. Upon the applicant's request, the Chief of Police shall also issue a conditional approval of the permit application,

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pending approval of the permit by other City agencies, if sufficient information has been provided to allow for adequate evaluation of the proposal and if grounds for denial, as set forth in Subsection (f), are not present.

(f) The Chief of Police shall grant a permit pursuant to this Article unless he or she finds that:

(i) The building, structure, equipment or location of the proposed place of entertainment does not comply with or fails to meet all of the health, zoning fire and safety requirements or standards of all the laws of the State of California or ordinances of the City and County of San Francisco applicable to such business operation; or

(ii) The building, structure, equipment or location of the proposed extended-hours premises ((cabaret)) cannot adequately accommodate the type and volume of vehicle and pedestrian traffic anticipated; or

(iii) The building, structure, equipment or location of the proposed extended-hours premises ((cabaret)) lack adequate safeguards to prevent emissions of noise, glare, dust and odor that substantially interfere with the public health, safety and welfare or the peaceful enjoyment of neighboring property.

(g) An applicant whose application for a permit has been denied pursuant to this section may seek immediate judicial review pursuant to Code of Civil Procedure Section 1085 or Section 1094.5. The applicant is not required to exhaust his or her administrative remedies before the Board of ((Permit)) Appeals.

SEC. 1070.7. SOLICITATION OF DRINKS OR MERCHANDISE. (a) No operator of an extended-hours premises ((a cabaret)) shall employ or permit any hostess, entertainer, or person to solicit any patron or customer of or visitor in said extended-hours premises ((cabaret)) to purchase any beverage or merchandise for the one soliciting or for any other person.

(b) No operator of an extended-hours premises ((a cabaret)) shall employ any hostess or

entertainer for the purpose of procuring or encouraging the purchase or sale of beverages or merchandise, or pay any such hostess or entertainer a percentage or commission on the sale of beverages or merchandise for procuring or encouraging the purchase or sale of beverages or merchandise on said premises.

SEC. 1070.8. SOLICITATION OF TRADE. No operator of an extended-hours premises ((a cabaret)) shall permit or allow or cause any employee of the extended-hours premises ((cabaret)) to solicit by personal solicitation or otherwise, or by means of any device whereby the voice of the person soliciting can be heard at or near such entrance.

SEC. 1070.12. MISCELLANEOUS RULES. No professional entertainer or employee may dance, unnecessarily converse, or associate with any customer on the premises in any extended-hours premises ((cabaret)); provided, however, that a regularly scheduled audience participation type of entertainment may be presented during the time slated and in the manner described in an advertisement posted in a regularly printed program. Provided, further, that a copy of said advertisement shall be received by the Chief of Police 24 hours prior to the conducting of said audience participation entertainment.

SEC. 1070.13. BOOTHS. It shall be unlawful for any person operating an extended-hours premises ((a cabaret)) under the provisions of this Article, in the City and County of San Francisco, or any agent, employee or representative thereof, to erect, construct, maintain, or cause or permit to be erected, constructed or maintained, within such extended-hours premises ((cabaret)) any private rooms, booths, enclosures or compartments, or any closed stalls, or any alcoves of any nature, so arranged that the inner portion of the same shall not at all times be visible from any point in the extended-hours premises ((cabaret)) where such rooms, booths, enclosures, compartments, stalls, or alcoves should be

reasonable within view.

SEC. 1070.16. MINORS. Except as provided in this Section, no person under 21 years of age shall enter, be, or remain in or on any premises operated as an extended-hours premises ((a cabaret)). A licensee shall not permit such a person to enter, be, or remain in or on any such premises except on Friday and Saturday nights there shall be a one-half hour grace period, until 2:30 a.m., for the departure from extended-hours premises ((cabarets)) of persons 18 to 21 years of age.

SEC. 1070.17. SUSPENSION AND REVOCATION. (a) Any permit issued under the terms of this Article may be suspended at any time by the Chief of Police if the Chief of Police determines after a noticed public hearing that any of the following conditions exist:

(1) The building, structure, equipment or location of the proposed extended-hours premises ((cabaret)) does not comply with or fails to meet all of the health, zoning, fire and safety requirements or standards of all the laws of the State of California or ordinances of the City and County of San Francisco applicable to such business operation; or

(2) The establishment has been operated in a manner that has harmed the public health, safety or welfare by significantly increasing pedestrian traffic, the incidence of disorderly conduct, or the level of noise in the area in which the premises are located, and the permittee has failed, after being requested by the Police Department to do so, to take reasonable steps to alleviate these conditions, such as providing additional off-street parking, security, soundproofing, restroom facilities, or refuse containers; or

(3) The proprietor or persons in charge thereof have violated, permitted the violation, or failed to take reasonable steps, after being requested by the Police Department to do so, to halt violations on the premises or in connection with the operation of the establishment, of any following laws of the State of California: Penal Code Sections 266h, 266i, 315, 316, 330, 337a, 657(b); Business and Professions

Code Sections 23300, 25602, 25631, 25657, 25658; Health and Safety Code Sections 11351, 11352, 11359, 11360, 11378, 11379, 11378.5, 11379.5; or, the proprietor or persons in charge thereof have implemented, maintained or permitted any admission or related policy or practice which violates Section 3305 of the San Francisco Police Code.

(4) The proprietor or persons in charge thereof have violated or permitted the violation of any other provision of this Article or of the permit, on the premises or in connection with the operation of the establishment.

(b) The penalty for the first violation under Subsection (a) within a period of six months shall be suspension of said permit for a period of 30 days. The penalty for the second violation within a period of six months shall be suspension of said permit for a period of 60 days. The penalty for the third and subsequent violations within a period of six months shall be suspension of said permit for a period of 90 days. For the purposes of this Subsection, calculation of the six months shall not include any period of time during which the permit was suspended.

(c) Any permit issued under the terms of this Article may be revoked at any time by the Chief of Police if the Chief of Police determines after a noticed public hearing that any of the following conditions exist:

(1) The permittee has knowingly made any false, misleading or fraudulent statement of material fact in the application for a permit;

(2) The permittee has failed to pay any fee or charge required under this Article; or

(3) The permittee has permanently ceased operation of the business.

(d) A revocation pursuant to Subsection (c) shall not prejudice the right of an applicant to apply for a new permit.

SEC. 1070.19. EXCEPTIONS. The Chief of Police may grant an exception to an extended-hours premises ((a cabaret)) as defined herein from the provisions of Sections 1070.11, 1070.13 and

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1070.16 relating to lighting of the premises, booths and minors being on the premises if the said Chief of Police shall find that the extended-hours premises ((cabaret)) is used exclusively for any of the following purposes:

(a) A bona fide public eating place as defined herein to which a public eating place permit has been issued by the Department of Public Health and where no admission charge is collected as defined in Section 1070(g).

(b) Extended-hours premises ((Cabarets)) that are operated by any public agency or by any educational, recreational or social agency, or by any bona fide fraternal, charitable, or religious or benevolent or any other nonprofit organization having a regular membership association primarily for mutual social, mental, political and civic welfare, to which admission is limited to members and guests and revenue accruing therefrom to be used exclusively for the benevolent purposes of said organization and which organization or agency is exempt from taxation under the Internal Revenue laws of the United States as a bona fide fraternal, charitable, religious, benevolent or nonprofit organization.

(c) Any determination as to the exception status of any applicant pursuant to this Section shall be made by the Chief of Police.

(d) A decision by the Chief of Police denying the exception from the regulations shall be final except that an appeal therefrom may be taken within 10 days to the Board of Review created by Ordinance No. 245-68. The Board of Review will consist of the Director of Administrative Services ((Chief Administrative Officer)), the Controller and Assessor-Recorder. Any member of the Board may deputize in writing, filed with the Board, any member of his office to serve in his place on such Board or in such hearing as he may desire. A majority of the members of the Board shall constitute a quorum.

(e) The Board, in addition to its several other duties, shall have the power and it shall be its duty to hear and determine appeals from the decisions of the Chief of Police made upon petition for an exception from the regulations. The Board may affirm or reverse such decision by the Chief of Police or dismiss the appeals therefrom as may be just, and shall prescribe such forms, rules and regulations

relating to appeals as it may deem necessary. In the review of the decision by the Chief of Police the Board may take such evidence and make such investigation as it may deem necessary. It shall give notice of its determinations in writing to the petitioner and shall file a copy of each determination with the Chief of Police. The determination shall become final 10 days thereafter. If the Board of Review concurs with the determination of the Chief of Police, the regulations shall become effective as an order or decision of the Chief of Police. If the Board of Review overrules the order or decision of the Chief of Police, the regulations shall not be enforced by the Chief of Police.

SEC. 1070.20-1. LICENSE FEES. Every permittee who conducts, permits or assists in conducting or permitting any extended-hours premises ((cabaret)) as defined, shall pay to the Tax Collector an annual license fee, payable in advance.

The license fee prescribed in this Section is due and payable on a calendar year basis starting 90 days after the effective date of this Article, prorated with regard to the calendar year on a monthly basis. Fees for new licenses issued after the first day of January, 1971, or in any subsequent calendar year shall be prorated with regard to the calendar year on a monthly basis.

SEC. 1070.21. STAY ORDERS. Notwithstanding Section 8, Part III, of the San Francisco Municipal Code, the action of the Chief of Police in suspending a permit for a period not to exceed 30 days shall not be suspended by an appeal to the Board of ((Permit)) Appeals.

SEC. 1070.23. PERMIT REQUIRED. All premises operating as an extended-hours premises ((a cabaret)) as defined in Section 1070(a) herein are required to conform with all provisions contained in Sections 1070 through 1070.17 of this Article within 90 days of the effective date thereof, unless excepted pursuant to Section 1070.19; failure so to do shall make continued operation of said extended-hours premises ((cabaret)) establishment a violation of Section 1070.24 hereof.

New permits must be obtained from the Police Department as Sections 1070.1, 1070.2, 1070.3 and 1070.4 hereof provide.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
THOMAS J. OWEN
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 17, 1998	February 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
121-97-9

MAR - 6 1998
Date Approved

_____
Mayor

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FILE NO. 98-0016 As Amended in Board 2/17/98 ORDINANCE NO. 77-98

(PARKING AND TRAFFIC)

AMENDING ARTICLE 3 OF THE SAN FRANCISCO TRAFFIC CODE BY AMENDING SECTION 34 THEREOF, REGARDING THE EXEMPTION OF TAXICABS FROM TURN PROHIBITIONS.

Note: Additions or substitutions are underlined;

deletions are in ((double parentheses))

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 3 of the San Francisco Traffic Code is hereby amended by amending Section 34 to read as follows:

SEC. 34 LEFT-HAND TURNS, RIGHT-HAND TURNS AND U-TURNS PROHIBITED. The Board of Supervisors shall designate, by resolution, those street intersections, where left-hand turns, right-hand turns or U-turns of vehicles are prohibited and it shall be unlawful for the operator of any vehicle to turn left or right or make a U-turn at such intersections, after erection thereat of appropriate signs giving notice of such prohibition. The Department of Parking and Traffic is hereby authorized to erect or cause to be erected appropriate signs giving such notice.

(b) Mass transit vehicles operating on regularly scheduled routes, taxicabs and bicycles may be exempt from the provisions in Section 34(a) if the Department of Parking and Traffic and the Board of Supervisors approves each exemption at such locations where the turning prohibitions are in effect or will be in effect and erects or causes to be to erected, appropriate signs at such locations giving notice of said exemption.

(c)To facilitate the movement of traffic either the Police Commission or the Parking and Traffic Commission may temporarily prohibit the making of a left turn or a right turn or both turns of vehicles at any intersection where a Police Officer or a Parking Control Officer is directing traffic or where, in the absence of Police and Parking Control Officers, clearly legible signs

Supervisor Newsom

indicate said prohibition, and it shall be unlawful for any operator of a vehicle to make a right or left turn in disregard of the direction of said Police Officer or Parking Control Officer, or the legible sign referred to herein.

APPROVED AS TO FORM: RECOMMENDED:

LOUISE H. RENNE
City Attorney

By: Loretta Giorgi

LORETTA GIORGI
Deputy City Attorney

Bill Maher

BILL MAHER
Executive Director
Department of Parking and Traffic

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 17, 1998	$	February 23, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	$	Brown Katz Kaufman Medina Newsom
Teng Yaki Yee	$	Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
98-0016

MAR - 6 1998
Date Approved

Mayor

FILE NO. 98-0102 ORDINANCE NO. 78-98

[Competitive Bidding Exemption for Job Training Program]

WAIVING COMPETITIVE BID REQUIREMENTS FOR THE RECREATION AND PARK COMMISSION'S AWARD OF A PUBLIC WORKS CONTRACT TO THE SAN FRANCISCO CONSERVATION CORPS FOR PERFORMANCE OF RESTORATION ACTIVITIES IN DESIGNATED SIGNIFICANT NATURAL RESOURCE AREAS

Note: The entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. FINDINGS. The Board of Supervisors of the City and County of San Francisco hereby finds and declares as follows:

1. The San Francisco Conservation Corps is a non-profit organization that serves the public interest by providing job training and work experience for disadvantaged individuals in need of such training and work experience.

2. Programs that enhance the skills of disadvantaged individuals serve the public interest because the development of skills by such individuals will have a significant positive impact on the economic health of the City.

3. The Recreation and Park Commission wishes to award a negotiated contract in the amount of $75,000 per year for a maximum of three years, subject to annual appropriation of funds, to the San Francisco Conservation Corps for the performance of restoration activities in designated Significant Natural Resource Areas. The public will benefit from both the work to be performed and the training and work experience that will be gained by disadvantaged individuals.

Section 2. The Recreation and Park Commission is hereby authorized to award a negotiated contract to the San Francisco Conservation Corps in an amount exceeding $50,000 for performance of restoration activities in designated Significant Natural Resource Areas. The competitive bidding requirements of Chapter 6 of the San Francisco Administrative Code shall not apply to the award of said contract. Pursuant to San Francisco Administrative Code section 6.1-3(k), the San Francisco

Conservation Corps is not required to pay prevailing wage rates on the contract awarded pursuant to this ordinance.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Randall O. Parent
Deputy City Attorney

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
February 17, 1998	$	February 23, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman	$	Ayes: Supervisors Ammiano Bierman
Brown Katz Kaufman Medina Newsom	$	Brown Katz Kaufman Medina Newsom
Teng Yaki Yee	$	Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0102

MAR - 6 1998
Date Approved

William L. Brown Jr.
Mayor

FILE NO. 98-0164 ORDINANCE NO. 79-98

RO#97193

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF HAZEL LOUISE ELLIS AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $185,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Hazel Louise Ellis, et al., v. City and County of San Francisco, et al., Superior Court No. 976-607 by the payment of $185,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

5M-AAA-AAA 35-00-00
352730 05311 $185,000.00

NAME OF SUPERVISOR/COMMITTEE/DEPARTMENT
BOARD OF SUPERVISORS

cc

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
February 17, 1998	§	February 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0164

MAR - 6 1998
Date Approved

Mayor

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FILE NO. 98-0165 ORDINANCE NO. 80-98

RO#97195

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF TAMILIA GORMAN AND ALEXANDER RABEY AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $27,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Tamilia Gorman and Alexander Rabey, et al., v. City and County of San Francisco, et al., San Francisco Superior Court No. 961-655 by the payment of $27,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

5M-AAA-AAA 35-00-00
352730 05311 $27,000.00

NAME OF SUPERVISOR/COMMITTEE/DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
February 17, 1998	§	February 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0165

MAR - 6 1998
Date Approved

Mayor

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FILE NO. 98-0166 ORDINANCE NO. 81-98

RO#97194

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF CAROL MCGEE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $70,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Carol R. McGee, v. City and County of San Francisco, et al., San Francisco Superior Court No. 980-710 by the payment of $70,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

5M-AAA-AAA 35-00-00
352730 05311 $70,000.00

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 17, 1998	February 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0166

MAR - 6 1998
Date Approved

Mayor

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FILE NO. 98-0205 ORDINANCE NO. 82-98

[Minority/Women/Local Business Utilization Ordinance - III]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 12D.2-4 THERETO AND BY AMENDING SECTION 12D.9(A), 12D.10(A), 12D.11(A), 12D.11 (A) -(1) AND 12D.15(G) THEREOF TO SET FORTH FINDINGS SUPPORTING A THREE MONTH EXTENSION OF THE MBE/WBE/LBE ORDINANCE - III AND PROVIDING FOR THE THREE MONTH EXTENSION.

Note: Additions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Section 12D.2-4 thereto to read as follows:

Sec. 12D.2-4 ADDITIONAL FINDINGS SUPPORTING A THREE MONTH EXTENTION OF MBE/WBE/LBE ORDINANCE.

On November 3, 1997, the United States Supreme Court denied the petition for writ of certiorari in Coalition for Economic Equity et al. v. Pete Wilson et al. As a result of the Supreme Court's decision not to grant review, Mason Tillman Associates and the City continue to consider the impact, if any, of Proposition 209 on the Disparity Study commissioned by the Human Rights Commission on January 13, 1997;

And although a draft disparity study has been presented to the Human Rights Commission, several new questions regarding the data and how it should be analyzed have been raised by the Human Rights Commission and members of the public. In light of the concerns

raised, Mason Tillman Associates and the Human Rights Commission have determined that additional data gathering and analysis is necessary in order to accurately determine whether a strong basis in evidence exists for concluding that the purposes identified in Section 12D.3 have not been achieved and what remedy, if any, is necessary to ensure that there is no discrimination in public contracting in the City and County of San Francisco.

And this Boards incorporating by reference the findings set forth in Section 12D.2, 12D.2-1, 12D.2-2 and 12D.2-3 above;

This Board hereby finds that there is a good faith basis to extend Ordinance 155-92, as amended by Ordinance 210-97 and 457-97, for a three month period during which time this Board, with the assistance of the Human Rights Commission and the City Attorney, will (1) complete the compilation of the data sufficient to ascertain whether a strong basis in evidence exists for concluding that the purposes identified in Section 12D.3 have not been achieved and (2) receive comment on proposed legislative changes, if any, to the Ordinance in light of the findings set forth in the final Disparity Study.

Section 2. The San Francisco Administrative Code is hereby amended by amending Sections 12D.9(A), 12D.10(A), 12D.11(A), 12D.11(A)-(1) and 12.D15(G) thereof to read as follows:

Sec. 12D.9. ADDITIONAL FINDINGS SUPPORTING RACE- AND GENDER-CONSCIOUS BID PREFERENCES AND SUBCONTRACTOR PARTICIPATION GOALS - PUBLIC WORKS/CONSTRUCTION; SUBCONTRACTING PROGRAM. (A) In

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addition to the General findings set forth in Section 12D.2, 12D.2-1, 12D.2-2, ((and)) 12D.2-3 and 12D.2-4 and based upon the record before this Board, the Board hereby makes these additional findings in Support of the race- and gender-conscious bid preference provisions and subcontractor participation goals for public works/construction contracts:

1. In Ordinance No. 139-84 this Board identified discriminatory procurement practices against MBEs and WBEs in the award of prime public works/construction contracts.

2. The evidence before this Board relating to the award of prime public works/construction contracts for fiscal year 1987-1988 reflects that MBEs (each ethnic group identified as a minority) and WBEs continue to be awarded contract dollars in amouts that are disproportionately lower than the available number of MBE and WBE prime public works/construction contractors willing and able to perform City construction work. The evidence before this Board relating to the participation of MBE/WBE prime and subcontractors on City construction contracts for fiscal year 1989-1990 reflects that MBEs (each ethnic group identified as a minority) and WBEs continue to be awarded contract dollars in amounts that are disproportionately lower than the available number of MBE and WBE prime and subcontractors willing and able to perform construction work. The statistical results are the same for MBEs for fiscal year 1990-1991. These results cannot be attributed to chance. In light of the testimony before this Board and the Commission in 1983, 1984, 1988,

1989 and 1992, and the Redevelopment Agency in 1991, this Board finds that these results can be attributed in part to discriminatory procurement practices and in part to discrimination in the local construction industry against MBEs and WBEs that is manifested in and perpetuated and exacerbated by the City's procurement practices.

3. The evidence before this Board supports the conclusion that MBEs and WBEs continue to be disadvantages by discriminatory practices when competing for City prime construction contracts. The weight of the testimony and other evidence before this Board supports the conclusion that nonminority construction contractors competing for or doing business with the City and/or in the public sector limit the participation of MBE and WBE subcontractors on construction contracts by engaging in discriminatory business practices.

4. Race-neutral measures employed by the City in the past for those construction contracts subject to the lowest, reliable, responsible bidder standard did not prevent the discriminatory practices from occurring. Since February 1989 the City has pursued race-neutral measures to facilitate MBE/WBE subcontractor participation in construction contracts. From about February 1st to June 30, 1989 the City adopted a race-neutral disadvantaged business program for its construction contracts. Since July 1, 1989 the City had urged prime construction contractors to voluntarily extend subcontracting opportunities to MBE/WBE subcontractors on City construction contracts. These race- and gender-neutral measures

employed by the City have not been successful in increasing MBE>WBE subcontractor participation in City construction contracts.

5. The Board is granting a competitive advantage, the bid preference, to prime MBEs and WBEs to offset the identified competitive disadvantage caused by the City's discriminatory procurement practices.

6. The evidence before this Board relating to the award of prime public works/construction contracts for fiscal year 1990-1991 reflects that WBEs have improved their participation in City construction contracts. However, based on the testimony and other evidence before this Board, the Board concludes that remedial action continues to be necessary for WBEs competing for construction contracts to overcome past discrimination in the award of construction prime and sub-contracts. The Director shall closely monitor the participation of WBEs in construction contracts and report the results of such monitoring to the Board pursuant to Section 12.D6(B)2.

Sec. 12D.10 ADDITIONAL FINDINGS SUPPORTING RACE- AND GENDER-CONSCIOUS BID PREFERENCES - PURCHASING CONTRACTS. (A) In addition to the general findings set forth in Sections 12D.2, 12D.2-1, 12D.2-2, ((and)) 12D.2-3, and 12D.2-4 and based upon the record before this Board, the Board hereby makes these additional findings in support of the race- and gender-conscious bid preferences for purchasing contracts:

1. In Ordinance No. 139-84 this Board identified discriminatory procurement practices in the award of purchasing contracts.

2. The evidence before this Board relating to the award of contracts for fiscal year 1987-1988 reflects that MBEs (each ethnic group listed as a minority) and WBEs continue to be awarded contract dollars in certain categories of purchasing contracts in dollar amounts that are disproportionately lower than the available number of MBEs and WBEs in the private sector. These results cannot be attributed to chance. In light of the testimony before this Board and the Commission in 1983, 1984, 1988, and 1989, this Board finds that these results can only be attributed to discriminatory procurement practices.

3. The evidence before this Board supports the conclusion that MBEs and WBEs continue to be disadvantaged by discriminatory practices when competing for the aforementioned purchasing contracts.

4. Race-neutral measures employed by the City in the past for those purchasing contracts subject to the lowest, reliable, responsible bidder standard did not prevent the discriminatory practices form occurring.

5. The Board is granting a competitive advantage, the bid preference, to MBEs and WBEs to offset the identified competitive disadvantage caused by the City's discriminatory procurement practices.

6. The evidence before this Board relating to the award of purchasing contracts for fiscal years 1989-1990 and 1990-1991

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reflects that certain minority groups have improved their participation in City purchasing contract. However, based on the testimony and other evidence before this Board, the Board concludes that remedial action continues to be necessary to enable these groups in purchasing contracts and report the results of such monitoring to the Board pursuant to Section 12D.6(B)(2).

SEC. 12D.11. ADDITIONAL FINDINGS SUPPORTING THE RACE- AND GENDER-CONSCIOUS BID PREFERENCES - CONSULTANTS AND PROFESSIONAL SERVICES. (A) In addition to the general findings set forth in Section 12D.2, 12D.2-1, 12D.2-2, ((and)) 12D.2-3 and 12D.2-4 and based upon the record before this Board, the Board hereby makes additional findings in support of the race- and gender-conscious bid preferences for the following specifically enumerated professional services contracts: Legal, architect and engineer, computer services, management consultant, medical services.

1. In Ordinance No. 139-84 this Board identified discriminatory procurement practices against MBEs and WBEs in the award of prime professional services contracts.

2. The evidence before this Board relating to the award of prime legal services contracts for fiscal year 1987-1988 reflects that Black law firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Black law firms willing and able to perform legal services for the City. These results cannot be attributed to chance. This Board

finds that these results can only be attributed to discriminatory procurement practices.

The statistical evidence before this Board reflects that there are few Asian, Black, Latino and women owned law firms certified by the Director to provide legal services to the City. An April 1988 San Francisco Bar Association study concludes that there is significant disparity between equally qualified white and minority lawyers in terms of income, current employment positions, hiring, promotion and retention in San Francisco. The study also concludes that a high percentage of white and minority lawyers believe that racial discrimination plays a role in the employment practices of San Francisco legal employers. The report of the Judicial Council Advisory Committee on Gender Bias in the Courts on Civil Litigation and Courtroom Demeanor concludes, among other points, that opportunities for advancement and promotion in the legal profession appear less available to women than to men. In view of these studies, the Board finds that minority lawyers are excluded from employment opportunities due to discriminatory employment practices in San Francisco and that women lawyers are excluded from employment opportunities due to discriminatory practices in California. These employment practices prevent minority and women lawyer from gaining the necessary experience that would enable minority and women lawyers to compete for City legal services contracts. The City in its award of legal services contract will become a passive participant in those practices.

The City is granting Asian, Black, Latino and woman owned law firms a bid preference pursuant to Section 12D.8.(B)2 to encourage majority law firms to joint venture with these minority and woman owned law firms when competing for the award of City contracts for legal services. Department shall also grant a seven and one-half percent (7.5%) bid/rating preference to any majority owned law firm based in San Francisco that enters into an affirmative action program with the Director and agrees to take affirmative action to perform the following: (1) increase the recruitment, hiring, retention and advancement to partnership of minority lawyers within the firm; (2) have minority lawyers within the firm capable of providing the required services included among those who represent the City; (3) maintain and expand existing joint ventures or other formal associations with minority owned law firms, and retain and otherwise enter into joint ventures or other formal associations with minority owned law firms with which the firm does not currently have such a relationship, on legal matters of the law firm clientele calling for such a relationship; (4) request all law firms which serve as associate counsel, co-counsel or local counsel to the firm to adopt in principle these goals; (5) refer conflict of interest situations to minority owned law firms; and (6) take such additional steps as are practicable to foster and enhance relations between the majority firm and minority owned law firms, including but not limited to providing educational and training opportunities in furtherance of the objectives of this Ordinance as it relates to the legal profession. The affirmative action program developed pursuant to this

subsection shall be effective for a period of 12 months after the date of agreement in writing by the law firm and the Director or the term of the legal services contract, whichever term is greater.

3. The evidence before this Board relating to the award of prime architect and engineering contracts for fiscal year 1987-1988 reflects that Black and woman owned architectural/engineering, firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Black and woman owned architectural/engineering firms willing and able to perform these services for the City. The evidence before this Board relating to the award of prime architect and engineering contracts for fiscal year 1989-1990 reflects that Asian owned architectural/engineering firms have been awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian owned architectural/engineering firms willing and able to perform these services for the City. Given that Asian owned architectural/engineering firms enjoy a relatively large share of this market, these statistically significant results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

The evidence before this Board relating to the award of prime architect and engineering contracts for fiscal year 1989-90 reflects that Latino owned architectural/engineering firms have not been awarded any contract dollars notwithstanding the available numbers of Latino owned architectural/engineering firms willing and able to perform these services for the City. Based on the statistical and

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other evidence before this Board, the Board concludes that the lack of participation by Latino owned architectural and engineering firms on prime architectural/engineering contracts cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

4. The evidence before this Board relating to the award of prime computer systems services contracts for fiscal year 1987-1988 reflects that Asian, Black and woman owned computer systems firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Black and woman owned computer systems firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

5. The evidence before this Board relating to the award of prime management consulting services contracts for fiscal year 1987-1988 reflects that Asian, Black and woman owned management consulting firms continue to be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Black and woman owned management consulting firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

6. The evidence before this Board relating to the award of prime medical services contracts for fiscal year 1987-1988 reflects that Asian, Latino and woman owned medical services firms continue to

be awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Latino and woman owned medical services firms willing and able to perform these services for the City. The evidence before this Board relating to the award of prime medical services contracts for fiscal year 1989-90 reflects that Black owned medical services firms are awarded contract dollars in amounts that are disproportionately lower than the available numbers of Black owned medical services firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

7. The evidence before this Board relating to the award of prime miscellaneous professional services contracts for fiscal year 1989-1990 reflects that Asian, Latino, Black and woman owned firms which provide miscellaneous professional services are awarded contract dollars in amounts that are disproportionately lower than the available numbers of Asian, Latino, Black and woman owned firms willing and able to perform these services for the City. These results cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

8. The evidence before this Board supports the conclusion that aforementioned MBEs and WBEs are disadvantaged by discriminatory practices when competing for City prime professional services contracts.

9. The Board is granting a competitive advantage, the bid

preference, to the MBEs and WBEs identified as having been subject to the identified competitive disadvantage caused by the City's discriminatory procurement practices in the award of the aforementioned professional services contracts.

10. The evidence before this Board relating to the award of professional services contracts for fiscal year 1990-1991 reflects that certain minority groups have improved their participation in certain City professional services contracts. However, based on the testimony and other evidence before this Board, the Board concludes that remedial action continues to be necessary to enable these groups to overcome past discrimination in the award of professional services contracts. The Director shall closely monitor the participation of these groups in professional services contracts and report the results of such monitoring to the Board pursuant to Section 12D.6(B)2.

(A)-(1) In addition to the general findings set forth in Section 12D.2 and the findings set forth in 12D.2-2 ((and)) 12D.2-3, and 12D.2-4 and 12D.11(A)3, and based upon the record before this Board, the Board hereby makes these additional findings in support of establishing subcontractor participation goals for architectural/engineering contracts:

a. The evidence before this Board relating to the award of architectural and engineering prime contracts and subcontracts for fiscal years 1989-1991 shows that Black, Asian, Latino and woman owned architectural and engineering firms continue to be awarded contract dollars in amounts that are disproportionately lower than

the available numbers of Black, Asian, Latino and woman owned architectural and engineering firms willing and able to perform these services for the City. These statistically significant disparities exist despite the fact that Black, Asian, Latino and woman owned firms are entitled to a bid preference on prime architectural and engineering contracts. In light of the testimony before this Board and the Commission in 1983, 1984, 1988, 1989, 1991 and 1992, the San Francisco Redevelopment Agency in 1991, and the San Francisco Unified School District in 1991 and 1992, this Board finds that these results can be attributed in part to discriminatory contracting practices and in part to discrimination in the local architectural and engineering industries against MBE and WBE architects and engineers. This discrimination is manifested in, and perpetuated and exacerbated by, the City's contracting practices.

b. The evidence before this Board supports the conclusion that MBEs and WBEs continue to be disadvantaged by discriminatory practices when competing for City architectural and engineering contracts, and when competing to provide subcontractor services on City architectural and engineering contracts. The weight of the testimony and other evidence before this Board supports the conclusion that nonminority architects and engineers competing for or doing business with the City and/or in the private sector limit the participation of MBE and WBE subcontractors on architectural and engineering contracts by engaging in discriminatory business practices.

c. Race-neutral measures employed by the City in the past did

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not prevent the discriminatory practices from occurring. Since February 1989 the City has pursued race-neutral measures to facilitate MBE/WBE subcontractor participation in architectural and engineering contracts. From about February 1st to June 30, 1989 the City adopted a race-neutral disadvantaged business program for its architectural and engineering contracts. Since July 1, 1989 the City has urged prime architects and engineers to voluntarily extend subcontracting opportunities to MBE/WBE subcontractors on City architectural and engineering contracts. These race- and gender-neutral measures employed by the City have not been successful in increasing MBE/WBE participation in City architectural and engineering contracts.

12D.15(G) Extension. Pursuant to Section 12D.15(E) of Ordinance 155-92, as amended by Ordinances 210-97 and 457-97, and based upon the Further Additional Findings Supporting Six-Month Extension of MBE/WBE/LBE Ordinance – III set forth in Section 12D.2-2, ((and)) the Further Additional findings Supporting A Three Month Extension of MBE/WBE/LBE Ordinance - III as set forth in Section 12D.2-3, and Further Additional Findings Supporting A Three Month Extension of MBE/WBE/LBE Ordinance - III as set forth in Section 12D.2-4, the Board hereby extends Ordinance 155-92, as amended, to ((April 1, 1998)) July 1, 1998.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Loretta Giorgi
Deputy City Attorney

SUPERVISOR KATZ
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	$	**Finally Passed**
	$	
February 17, 1998	$	**February 23, 1998**
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	$	**Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee**

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 98-0205

MAR - 6 1998
Date Approved

Willie L. Brown Jr.
Mayor

FILE NO. 98-0175 ORDINANCE NO. 83-98

[Annual Appropriation Ordinance]

AMENDING ORDINANCE 345-97 (ANNUAL APPROPRIATION ORDINANCE) TO ADD SECTION 12.4 THERETO RELATING TO ADDITIONAL SERVICES BY THE HEALTH DEPARTMENT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Ordinance No. 345-97 (Annual Appropriation Ordinance for 1997-98) is hereby amended by the addition of Section 12.4, to read as follows:

Section 12.4. The Department of Public Health shall not expend funds or add staff resources to replace currently funded contractual services with services provided by City staff without the specific prior approval of the Board of Supervisors.

APPROVED AS TO FORM:

Theodore R. Lakey

Deputy City Attorney

SUPERVISOR KAUFMAN, KATZ, YAKI, TENG, BROWN, MEDINA, YEE

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 17, 1998	February 23, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 98-0175

Date Approved

Mayor

Date March 9, 1998

I hereby certify that the foregoing ordinance, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

John L. Taylor
Clerk

File No. 98-0175

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100 Larkin Street
Mailslot

2/18/98 - As amended in Committee.

FILE NO. 98-0093 ORDINANCE NO. 84-98

(Memorandum of Understanding)

ADOPTING AND IMPLEMENTING THE PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN TRANSPORT WORKERS UNION, LOCAL 250-A (CLASSIFICATION 7410) AND THE CITY AND COUNTY OF SAN FRANCISCO RETROACTIVELY PROVIDING THAT ALL COVERED EMPLOYEES BE PLACED INTO FULL RETIREMENT CONTRIBUTION STATUS EFFECTIVE DECEMBER 27, 1997 FOLLOWING APPROVAL OF THIS ORDINANCE BY THE MAYOR.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding within the authority of the Board of Supervisors between Transport Workers Union, Local 250-A (Classification 7410) and the City and County of San Francisco retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. The provisions so implemented are on file in the office of the Board of Supervisors

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 23, 1998	March 2, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee
	Absent: Supervisors Katz Medina

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0093

MAR 13 1998
Date Approved

Mayor

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2/18/98 - As amended in Committee.

FILE NO. 98-0094 ORDINANCE NO. 85-98

(Memorandum of Understanding)

ADOPTING AND IMPLEMENTING THE PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN TRANSPORT WORKERS UNION, LOCAL 250-A (MULTI-UNIT) AND THE CITY AND COUNTY OF SAN FRANCISCO

18/98 RETROACTIVELY PROVIDING THAT ALL COVERED EMPLOYEES BE PLACED INTO FULL RETIREMENT CONTRIBUTION STATUS EFFECTIVE DECEMBER 27, 1997 FOLLOWING APPROVAL OF THIS ORDINANCE BY THE MAYOR.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding within the authority of the Board of Supervisors between Transport

8/98 Workers Union, Local 250-A (Multi-Unit) and the City and County of San Francisco, retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

Vukii A. Clayton
DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 23, 1998	March 2, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee
	Absent: Supervisors Katz Medina

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 98-0094

MAR 13 1998
Date Approved

Mayor

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2/18/98 - As amended in Committee.

FILE NO. 98-0095

ORDINANCE NO. 86-98

(Memorandum of Understanding)

ADOPTING AND IMPLEMENTING THE PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN TRANSPORT WORKERS UNION, LOCAL 200 AND THE CITY AND COUNTY OF SAN FRANCISCO RETROACTIVELY PROVIDING THAT ALL COVERED EMPLOYEES BE PLACED INTO FULL RETIREMENT CONTRIBUTION STATUS EFFECTIVE DECEMBER 27, 1997 FOLLOWING APPROVAL OF THIS ORDINANCE BY THE MAYOR.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding within the authority of the Board of Supervisors between Transport Workers Union, Local 200 and the City and County of San Francisco retroactively providing that all covered employees be placed into full retirement contribution status effective December 27, 1997 following approval of this ordinance by the Mayor. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 23, 1998	March 2, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee
	Absent: Supervisors Katz Medina

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0095

MAR 13 1998
Date Approved

Mayor

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MAR 26 1998
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FILE NO. 98-0099 ORDINANCE NO. 87-98

(Memorandum of Understanding)

ADOPTING AND IMPLEMENTING THE PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN TEAMSTERS, LOCAL 856 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING THAT ALL COVERED EMPLOYEES BE PLACED INTO FULL RETIREMENT CONTRIBUTION STATUS EFFECTIVE JUNE 30, 1998 FOLLOWING APPROVAL OF THIS ORDINANCE BY THE MAYOR.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding within the authority of the Board of Supervisors between Teamsters, Local 856 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 23, 1998	March 2, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee
	Absent: Supervisors Katz Medina

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0099

MAR 13 1998
Date Approved

Mayor

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FILE NO. 98-0131 ORDINANCE NO. 88-98

(Compensation)

IMPLEMENTING AN AGREEMENT ADJUSTING THE COMPENSATION OF CERTAIN CLASSIFICATIONS PURSUANT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, LOCALS 790, 535 AND 250 AND THE CITY AND COUNTY OF SAN FRANCISCO, TO BE EFFECTIVE MARCH 1, 1998.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby implements the provisions within its charter authority of the agreement adjusting the compensation of certain classifications pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 250, 790, 535 and the City and County of San Francisco to be effective March 1, 1998.

The agreement so implemented is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

VICKI A. CLAYTON
Chief Labor Attorney

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
February 23, 1998	§	March 2, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee
	§	Absent: Supervisors Katz Medina

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0131

MAR 13 1998
Date Approved

Mayor

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FILE NO. 98-0132 ORDINANCE NO. 89-98

(Compensation)

IMPLEMENTING THE ARBITRATOR'S AWARD DATED NOVEMBER 6, 1997 ADJUSTING THE COMPENSATION OF 9212 AIRFIELD SAFETY OFFICERS PURSUANT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SERVICE EMPLOYEES INTERNATIONAL UNION, AFL-CIO, LOCALS 790, 535 AND 250 AND THE CITY AND COUNTY OF SAN FRANCISCO, SUCH AWARD TO BE EFFECTIVE RETROACTIVELY TO OCTOBER 7, 1995.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby adopts the provisions within its charter authority of the Arbitrator's Award dated November 6, 1997 adjusting the compensation of 9212 Airfield Safety Officers pursuant to the Memorandum of Understanding between the Service Employees International Union, AFL-CIO, Locals 250, 790, 535 and the City and County of San Francisco such award to be effective retroactive to October 7, 1995.

The Arbitrator's Award so implemented is on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

Vicki A. Clayton

VICKI A. CLAYTON
Chief Labor Attorney
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
February 23, 1998	March 2, 1998
Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee
	Absent: Supervisors Katz Medina

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0132

MAR 13 1998
Date Approved

Mayor

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FILE NO. 98-0008 ORDINANCE NO. 90-98

(PARKING REGULATION)

AMENDING SECTION 71B OF THE SAN FRANCISCO TRAFFIC CODE REGARDING THE TOWING OF VEHICLES FROM YELLOW ZONES.

Note: Additions or substitutions are underlined.
Deletions are indicated by ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article III of the San Francisco Traffic Code is hereby amended by amending Section 71.B. thereto to read as follows:

SEC. 71.b. TOWING OF VEHICLES OBSTRUCTING THE NORMAL FLOW OF TRAFFIC. Any vehicle parked or stopped in violation of Subdivision (a) of Section 32, Section 38.B. Section 38.B.1, Section 33.3, ((Section 33.3.1)), Section 33.3.2, Section 62A or Section 71 of this Article shall be deemed to be left standing on a street in an unusual position and obstructing the normal movement of traffic thereof. Such vehicle shall be subject to removal under the provisions of Section 22651(b) of the Vehicle Code of the State of California. ((Any passenger vehicle parked or stopped in violation of Section 38.B.1 shall be deemed to be left standing on a street in an unusual position and obstructing the normal movement of traffic thereof. Any commercial vehicle parked or stopped in violation of Section 38.B.1 shall be deemed to be left standing in a street in an unusual position and obstructing the normal movement of traffic thereof upon the issuance of a second citation for violation of such Section within a 24-hour period.))

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Loretta M. Kiorgi
Deputy City Attorney

RECOMMENDED:

for Bond M. Yee
Bill Maher, Executive Director
Department of Parking and Traffic

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cc

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 2, 1998	March 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
Absent: Supervisors Katz Medina	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0008

MAR 20 1998
Date Approved

Mayor

FILE NO. 98-0138 ORDINANCE NO. 91-98

(WEIGHT RESTRICTION)

ADDING SECTION 28.1.98 TO THE SAN FRANCISCO TRAFFIC CODE TO ESTABLISH A WEIGHT RESTRICTION ON KENSINGTON WAY.

Note: Additions are underlined.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Traffic Code is hereby amended by adding Section 28.1.98 thereto to read as follows:

SEC. 28.1.98. Kensington Way, between Claremont Boulevard and Portola Drive

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

RECOMMENDED:

_____
Bill Maher, Executive Director
Department of Parking and Traffic

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
March 2, 1998	§	March 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	§	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
Absent: Supervisors Katz Medina	§	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 98-0138

MAR 20 1998
Date Approved

_____
Mayor

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FILE NO. 98-0203 ORDINANCE NO. 92-98

(Memorandum of Understanding)

ADOPTING AND IMPLEMENTING THE PROVISIONS OF THE AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN TEAMSTERS, LOCAL 350 AND THE CITY AND COUNTY OF SAN FRANCISCO PROVIDING THAT ALL COVERED EMPLOYEES BE PLACED INTO FULL RETIREMENT CONTRIBUTION STATUS EFFECTIVE JUNE 30, 1998 FOLLOWING APPROVAL OF THIS ORDINANCE BY THE MAYOR.

Be it ordained by the People of the City and County of San Francisco.

Section 1. The Board of Supervisors hereby implements the provisions of the amendment to the Memorandum of Understanding within the authority of the Board of Supervisors between Teamsters, Local 350 and the City and County of San Francisco providing that all covered employees be placed into full retirement contribution status effective June 30, 1998 following approval of this ordinance by the Mayor. The provisions so implemented are on file in the office of the Board of Supervisors.

APPROVED AS TO FORM

LOUISE H. RENNE
CITY ATTORNEY

DEPUTY CITY ATTORNEY

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 2, 1998	March 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
Absent: Supervisors Katz Medina	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0203

MAR 20 1998
Date Approved

Mayor

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FILE NO. 98-0206 ORDINANCE NO. 93-98

RO#97185

[Settlement Of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF ALBERTINA CURIEL AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $55,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Albertina Curiel, et al., v. City and County of San Francisco, et al., Superior Court No. 980-526 by the payment of $55,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

MARK A. PRIMEAU
Director

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

2S-PWF-OHF 90-00-00
DPWMCPWF0119 05311 $55,000.00

NAME OF SUPERVISOR/COMMITTEE/DEPARTMENT
BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 2, 1998	March 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
Absent: Supervisors Katz Medina	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0206

MAR 20 1998
Date Approved

Mayor

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FILE NO. 98-0207 ORDINANCE NO. 94-98

RO#97200

AUTHORIZING SETTLEMENT OF LITIGATION OF WILLIAM GLASS AGAINST GREGORY KAZARIAN AND THE CITY AND COUNTY OF SAN FRANCISCO FOR $ 69,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled " William Glass v. Gregory Kazarian, City and County of San Francisco, et al., San Francisco Superior Court Case No. 972-719, by the payment of $69,000 to William Glass.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

PATRICK J. MAHONEY
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

5W-AAA-AAA 47-00-00
477903 05311 $69,000.00

RECOMMENDED:

SAN FRANCISCO WATER DEPARTMENT

ANSON MORAN
General Manager
Public Utilities Commission

APPROVED:

PUBLIC UTILITIES COMMISSION

Lena T. Navarro
By: Secretary, PUC

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 2, 1998	March 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
Absent: Supervisors Katz Medina	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 98-0207

MAR 20 1998
Date Approved

Mayor

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FILE NO. 98-0208
(Government Funding)

ORDINANCE NO. 95-98
RO#97197
SA#55

APPROPRIATING $200,000 OF BROADWAY PARKING LOT REVENUES TO FUND THE LOCAL SHARE OF THE COST TO DO COUNTY-WIDE TRANSPORTATION PLAN FOR THE DEPARTMENT OF PUBLIC WORKS FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
2S-PWC-CIF DPW Construction Inspection Fund	DPWENPY Dept. of Public Works-Bureau of Engineering	BAV Engineering Construction	
Funding Sources			
Project FEN622	Broadway Parking Lot		
350-35281 (DPW043158)	Rental from Broadway Parking Lots	$200,000	
Funding Uses			
Project FEN622	Broadway Parking Lot		
067-06700 (DPW043158)	Bldgs., Structures & Improvement Project		$200,000
	Total	$200,000	$200,000

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD HARRINGTON
CONTROLLER

BY: _____

n:\excel\appror\90sa#55

BOARD OF SUPERVISORS

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 2, 1998	March 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
Absent: Supervisors Katz Medina	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 98-0208

MAR 20 1998
Date Approved

_____
Mayor

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APR 16 1998
LIBRARY

FILE NO. 98-0209 ORDINANCE NO. 96-98

(Landmarks)

DESIGNATING 1701 NINETEENTH AVENUE, THE FORMER SHRINERS HOSPITAL, AS LANDMARK NO. 221 PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that 1701 Nineteenth Avenue, the former Shriners Hospital, being the northern portion of Lot 3 in Assessor's Block 1924, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, 1701 Nineteenth, the former Shriners Hospital, the northern portion of Lot 3 in Assessor's Block 1924, is hereby designated as Landmark No. 221. This designation having been fully approved by Resolution No. 14523 of the Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 98-0209 and is incorporated herein and made part hereof as though fully set forth.

(b) Required Data:

(1) The description, location and boundaries of the Landmark site are shown on the map in the Final Landmark Designation Report on file in Planning Department Docket No. 97.210L, being the northern portion of Lot 3 in Assessor's Block 1924.

(2) The characteristics of the of the Landmark which justify its designation are described and shown in a Final Landmark Designation Report adopted by the Landmarks Preservation Advisory Board on September 17, 1997 and other supporting materials contained in Planning Department Docket No. 97.210L.

(3) The particular features that should be preserved are those described in the Final Landmark Designation Report on file in Planning Department Docket No. 97.210L and Planning Commission Resolution No. 14523, both of which are incorporated in this designation ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
BY Kate Stacy
Kate Stacy
Deputy City Attorney

RECOMMENDED:
PLANNING COMMISSION
BY
Gerald G. Green
Director of Planning

U:\MRP\WP51\RESOLUTI\SHRINE ORD

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APR 1 6 1998

Board of Supervisors, San Francisco

Passed on First Reading	Finally Passed
March 2, 1998	March 9, 1998
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
Absent: Supervisors Katz Medina	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0209

MAR 20 1998
Date Approved

Mayor

FILE NO. 98-0210 ORDINANCE NO. 97-98

(Landmarks)

DESIGNATING 1088 GREEN STREET, FORMER ENGINE NO. 31, AS LANDMARK NO. 220 PURSUANT TO ARTICLE 10 OF THE CITY PLANNING CODE.

Be it ordained by the people of the City and County of San Francisco:

Section 1. The Board of Supervisors hereby finds that 1088 Green Street, former Engine House No. 31, being Lot 10 in Assessor's Block 121, has a special character and special historical, architectural and aesthetic interest and value, and that its designation as a Landmark will further the purposes of, and conform to the standards set forth in Article 10 of the City Planning Code.

(a) Designation: Pursuant to Section 1004 of the City Planning Code, Chapter II, Part II of the San Francisco Municipal Code, 1088 Green Street, the former Engine House No. 31, is hereby designated as Landmark No. 220. This designation having been fully approved by Resolution No. 14522 of the Planning Commission, which Resolution is on file with the Clerk of the Board of Supervisors under File No. 98-0210 and is incorporated herein and made part hereof as though fully set forth.

(b) Required Data:

(1) The description, location and boundary of the Landmark site is Lot 10 in Assessor's Block 121.

(2) The characteristics of the of the Landmark which justify its designation are described and shown in a Final Landmark Designation Report

adopted by the Landmarks Preservation Advisory Board on September 17, 1997 and other supporting materials contained in Planning Department Docket No. 97.467L.

(3) The particular features that should be preserved are those described in the Final Landmark Designation Report on file in Planning Department Docket No. 97.467L and Planning Commission Resolution No. 14522, both of which are incorporated in this designation ordinance as though fully set forth.

APPROVED AS TO FORM:
LOUISE H. RENNE
BY Kate Stacy
Kate Stacy
Deputy City Attorney

RECOMMENDED:
PLANNING COMMISSION
BY
Gerald G. Green
Director of Planning

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 2, 1998	$	March 9, 1998
	$	
	$	
Ayes: Supervisors Ammiano Bierman Brown Kaufman Newsom Teng Yaki Yee	$	Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee
	$	
	$	
Absent: Supervisors Katz Medina	$	Absent: Supervisors Bierman Katz Kaufman Yaki

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0210

MAR 20 1998
Date Approved

Mayor

FILE NO. 98-0256
(Government Funding)

ORDINANCE NO. 98-98
RO#97206
SA#76

APPROPRIATING AND RESCINDING $103,779 FROM BOARD OF SUPERVISORS SALARIES FOR TRAINING, PROFESSIONAL SERVICES, EQUIPMENT MAINTENANCE AND EQUIPMENT FOR THE BOARD OF SUPERVISORS, FOR FISCAL YEAR 1997-98.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for FY 1997-1998 as follows:

Department and Number	Source of Funds and Purpose of Appropriation	Amount Debit	Amount Credit
Fund	**Department**	**Program**	
1G-AGF-AAA General Fund	BOSAA	FAE Board of Supervisors	
Funding Sources			
001-00100 (015006)	Permanent Salaries Board of Supervisors	$103,779	
Funding Uses			
095-0951G (xxxxxxxxxxxxxx)	Intrafund Transfer Out to 1G-AGF-ACP, Board of Supervisors		$103,779
	Total	$103,779	$103,779
Fund	**Department**	**Program**	
1G-AGF-ACP General Fund - Continuing Project	BOS AA Board of Supervisors-General	FAE Board of Supervisors	
Funding Source			
950-9501G (xxxxxxxxxxxx)	Intrafund Transfer In from 1G-AGF-AAA, General Fund	$103,779	
Funding Uses			
021-02201 (015014)	Training		$15,100
021-02700 (015014)	Professional Services		$57,260
021-02911 (015014)	DP/WP Equipment Maintenance		$9,421
060-06061 (015014)	Data Processing Equipment		$21,998
	Total	$103,779	$103,779

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE
EDWARD M. HARRINGTON
CONTROLLER

BY: _____

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Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 9, 1998	$	March 16, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	$	
Absent: Supervisors Bierman Katz Kaufman Yaki	$	Absent: Supervisor Newsom
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0256

MAR 20 1998
Date Approved

Mayor

Govt Information Ctr
41 Main Library-Civic Center
100 Larkin Street
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FILE NO. 97-97-69 Amendment of the Whole 3/3/98 ORDINANCE NO. 99-98

[Skating Advisory Committee]

AMENDING PART I, CHAPTER 5 OF THE SAN FRANCISCO MUNICIPAL CODE ("ADMINISTRATIVE CODE") BY ADDING ARTICLE XXI, SECTIONS 5.210 THROUGH 5.212 TO ESTABLISH A SKATING ADVISORY COMMITTEE, WITH 11 VOTING MEMBERS APPOINTED BY THE BOARD OF SUPERVISORS, RESPONSIBLE FOR DEVELOPING A PLAN FOR SKATING-RELATED IMPROVEMENTS, REVIEWING POLICIES AND PROGRAMS RELATED TO SKATING IN THE TRANSPORTATION ELEMENT OF THE GENERAL PLAN OF THE CITY, AND DEVELOPING A PLAN FOR PUBLIC OUTREACH.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part I, Chapter 5 of the San Francisco Municipal Code ("Administrative Code") is hereby amended by adding Sections 5.210 through 5.212, to read as follows:

SEC. 5.210. SKATING ADVISORY COMMITTEE ESTABLISHED. (a) There shall be established a Skating Advisory Committee (referred to hereinafter in this Chapter as "Advisory Committee") of the City and County of San Francisco. This Advisory Committee, composed of concerned and informed residents, will provide the best single source of expertise and perspective for skating-related activities. Effective planning is the key to reducing reliance on automobiles and finding the ultimate solution to the broad environmental crisis we presently face.

(b) The Advisory Committee shall consist of 11 voting members appointed by the Board of Supervisors. The members shall consist of representatives from each of the following categories:

(1) Three representatives from skating organizations;

(2) One representative from the skating industry;

(3) Two representatives from environmental organizations;

(4) Three at-large skaters;

(5) One representative from a local organization that has expertise with pedestrian safety issues;

(6) One representative from a local organization that has expertise with disability issues.

(c) The following City departments shall each provide a non-voting representative to attend Advisory Committee meetings: the Police Department, the Department of Public Works, the Municipal Railway, the Department of City Planning, and the Department of Parking and Traffic. The Clerk of the Board of Supervisors is directed to invite the Golden Gate National Recreation Area to send a non-voting representative to the Advisory Committee.

SEC. 5.211. ORGANIZATION AND TERMS OF OFFICE. (a) The term of each member of the Advisory Committee shall be three years; provided, however, that the members first appointed shall, by lot, classify their terms so that three members shall serve a one-year term, four members shall serve a two-year term, and four members shall serve a three-year term. Members of the Advisory Committee shall serve at the pleasure of the Board.

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(b) In the event a vacancy occurs during the term of office of any member, a successor shall be appointed to complete the unexpired term of the office vacated in the same manner and subject to the same qualifications that governed the appointment of the initial member.

(c) At the initial meeting of the Advisory Committee, and yearly thereafter, the Advisory Committee members shall select such officers as deemed necessary by the Advisory Committee.

(d) The Advisory Committee shall establish rules and regulations for its own organization and procedures and shall meet when necessary as determined by the Advisory Committee.

SEC. 5.212 POWERS AND DUTIES. The Advisory Committee shall have the power and duty to:

(a) Set up subcommittees as necessary;

(b) Develop a plan for skating-related improvements, including but not limited to skating routes, secure parking, and transit interface, and make recommendations to the Department of Parking and Traffic, the Transportation Authority, and the Board of Supervisors on related funding from local, State and Federal agencies;

(c) Make recommendations to the Planning Commission of the City and County of San Francisco as to amendments to the Transportation Element of the General Plan of the City and County of San Francisco on issues which relate to skating;

(d) Develop a plan for outreach to, and education of, the public to promote the safe sharing of public roadways, and submit the plan to the Transportation Authority.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Katharine M. Albright
Katharine M. Albright
Deputy City Attorney

Board of Supervisors, San Francisco

Passed on First Reading	$	Finally Passed
	$	
March 9, 1998	$	March 16, 1998
	$	
	$	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	$	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	$	
	$	
Absent: Supervisors Bierman Katz Kaufman Yaki	$	Absent: Supervisor Newsom
	$	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-97-69

MAR 27 1998
Date Approved

Mayor

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FILE NO. 98-0063 ORDINANCE NO. 100-98

[Underground District]

CREATING UNDERGROUND DISTRICT NO. 329 IN THE LIBERTY HILL AREA.

NOTE: This entire Section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 901, et seq. of Article 18, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby create the following underground district:

Underground District No. 329

(Liberty Hill)

District covering 20th Street from Church Street to Guerrero Street, Liberty Street from Church Street to Valencia Street, 21st Street from Church Street to Valencia Street, Dolores Street from 20th Street to 21st Street, Hill Street from Castro Street to Church Street, 22nd Street from Castro Street to Sanchez Street, and Noe Street from 21st Street to 22nd Street.

Section 2. The undergrounding of facilities within this underground district is in the general public interest in that said action will eliminate a heavy concentration of overhead wires and is being done in conjunction with other public improvements.

Section 3. All work in connection with the undergrounding of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department of Public Works' program; provided, however, that said work shall be commenced at such time or according to such priority as the Department of Public Works has established.

Supervisor Medina

Section 4. The Board hereby requests that the utility companies providing the undergrounding of facilities within this underground district pay for up to 100 feet of each underground service lateral occasioned by the undergrounding.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

by: Judith A. Boggins
Deputy City Attorney

APPROVED:

Mark A. Primeau, AIA
Director of Public Works
and City Architect

RECOMMENDED:

Harlan L. Kelly, Jr.
Deputy Director of Engineering
and City Engineer

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Board of Supervisors, San Francisco

Passed on First Reading	§	Finally Passed
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March 9, 1998	§	March 16, 1998
	§	
	§	
Ayes: Supervisors Ammiano Brown Medina Newsom Teng Yee	§	Ayes: Supervisors Ammiano Bierman Brown Katz Kaufman Medina Teng Yaki Yee
	§	
	§	
Absent: Supervisors Bierman Katz Kaufman Yaki	§	Absent: Supervisor Newsom
	§	

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
98-0063

MAR 2 7 1998
Date Approved

Mayor

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